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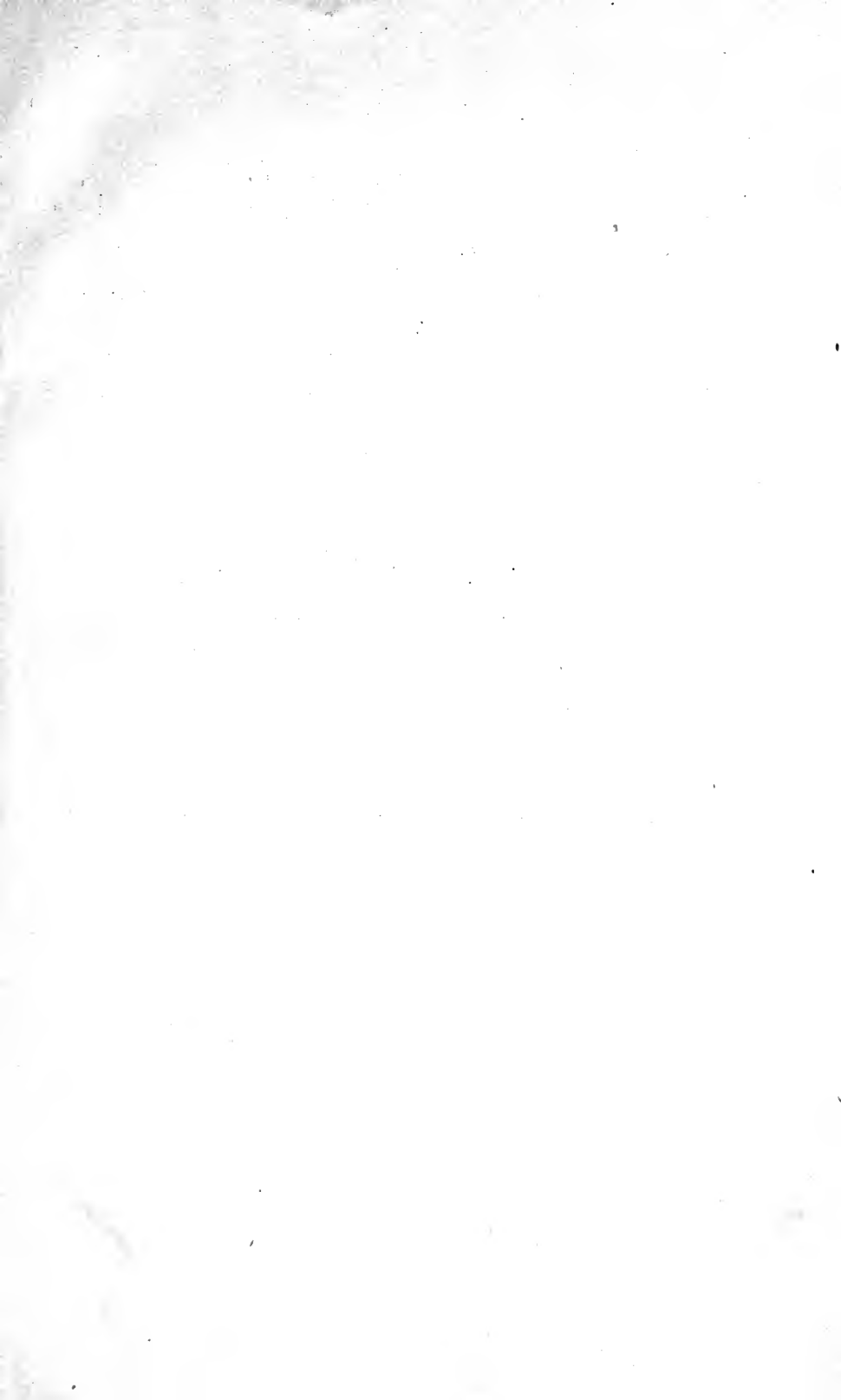
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U. S. War dept.

REGULATIONS  
FOR THE  
ARMY OF THE UNITED STATES  
1895



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WAR DEPARTMENT, *October 31, 1895.*

The PRESIDENT OF THE UNITED STATES directs that the following *Regulations for the Army* be published for the government of all concerned, and that they be strictly observed. Nothing contrary to the tenor of these Regulations will be enjoined in any part of the forces of the United States by any commander whomsoever.

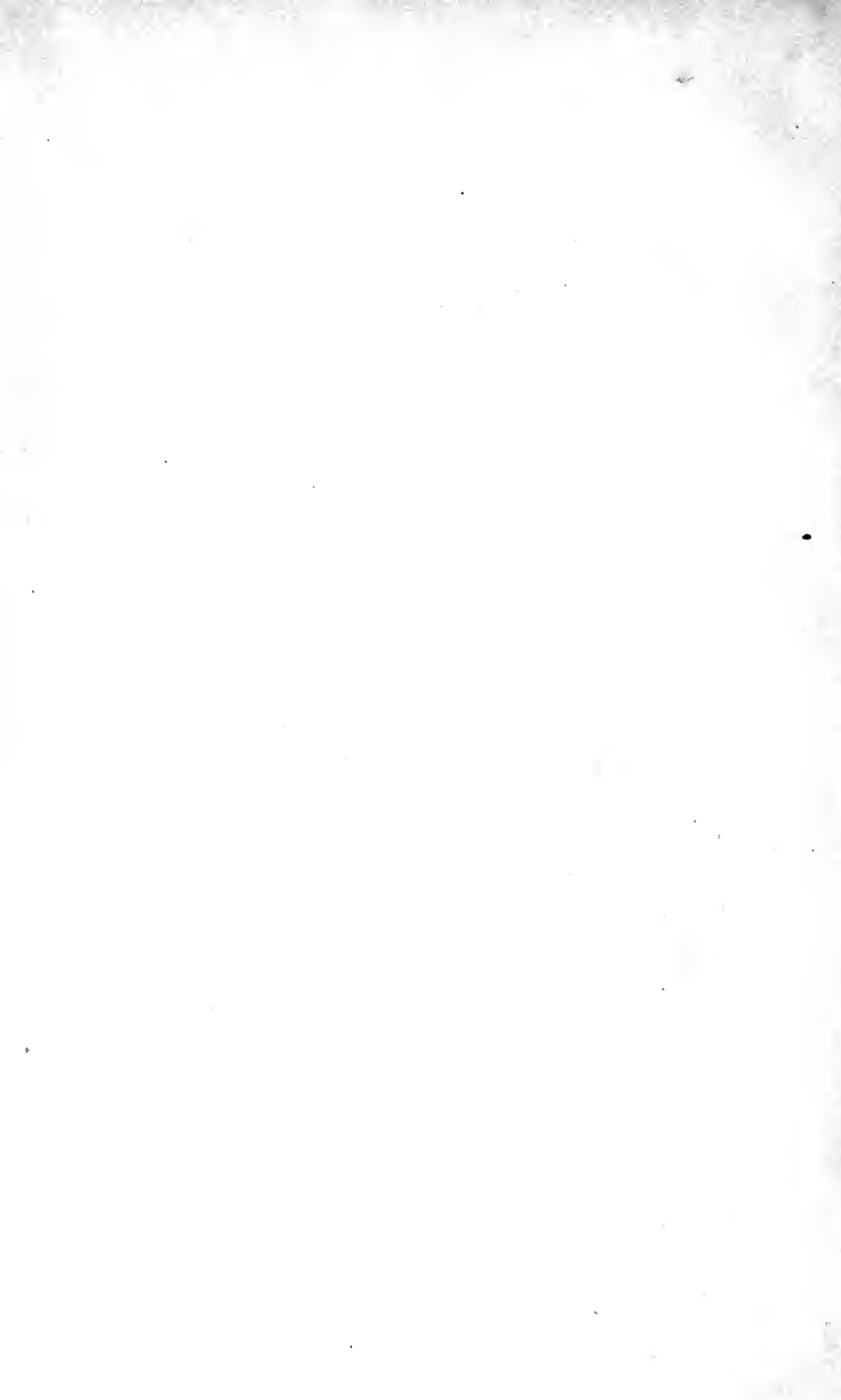
DANIEL S. LAMONT,  
*Secretary of War.*

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NOTE.—The Drill Regulations, the Instructions for Troops in Campaign, and the manuals and special regulations concerning the several staff departments or particular branches of the service will contain, besides extracts from general regulations, such rules as have special application; but no regulations, orders, or instructions will be embodied therein which are in conflict with the Regulations for the Army. (Decision of Secretary of War, October 31, 1895.)

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# REGULATIONS

## FOR THE

# ARMY OF THE UNITED STATES.

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### ARTICLE I.

#### MILITARY DISCIPLINE.

**1.** All persons in the military service are required to obey strictly and to execute promptly the lawful orders of their superiors.

**2.** Military authority will be exercised with firmness, kindness and justice. Punishments must conform to law and follow offenses as promptly as circumstances will permit.

**3.** Superiors are forbidden to injure those under their authority by tyrannical or capricious conduct, or by abusive language.

**4.** Courtesy among military men is indispensable to discipline; respect to superiors will not be confined to obedience on duty but will be extended on all occasions.

**5.** Deliberations or discussions among military men conveying praise or censure, or any mark of approbation, toward others in the military service, and all publications relating to private or personal transactions between officers, are prohibited. Efforts to influence legislation affecting the Army, or to procure personal favor or consideration, should never be made except through regular military channels; the adoption of any other method will be noted in the military record of those concerned.

### ARTICLE II.

#### PRECEDENCE OF REGIMENTS AND CORPS.

**6.** On all occasions of ceremony, except funeral escort, troops are arranged from right to left in line, and from head to rear in column, in the following order: First, infantry; second, light artillery; third, cavalry. Artillery serving as infantry is posted as infantry; dismounted cavalry and marines are on the left of the infantry; engineer troops are on the right of the command to which they are attached; detachments of the hospital corps are assigned to place according to the nature of the service. When cavalry and light artillery, or light artillery and infantry, are reviewed together without other troops, the artillery is posted on the left. In the same arm, regulars, volunteers, and militia are posted in line from right to left, or in column from head to rear, in the order named. In reviews of large bodies of troops the different arms and classes are posted at the discretion of the commanding general, due regard being paid to their position in camp. On all other occasions troops of all classes are posted at the discretion of the general or senior commander.

## ARTICLE III.

## RANK AND PRECEDENCE OF OFFICERS AND NONCOMMISSIONED OFFICERS.

**7.** Military rank is that character or quality bestowed on military persons which marks their station, and confers eligibility to exercise command or authority in the military service within the limits prescribed by law. It is divided into degrees or grades, which mark the relative positions and powers of the different classes of persons possessing it.

**8.** Rank is generally held by virtue of office in a regiment, corps, or department, but may be conferred independently of office, as in the case of retired officers and of those holding it by brevet.

**9.** The following are the grades of rank of officers and noncommissioned officers:

- |                                  |                                    |
|----------------------------------|------------------------------------|
| 1. Major-general.                | 12. Ordnance, commissary, and post |
| 2. Brigadier-general.            | quartermaster-sergeant, hos-       |
| 3. Colonel.                      | pital steward, first-class ser-    |
| 4. Lieutenant-colonel.           | geant of the Signal Corps, chief   |
| 5. Major.                        | musician, principal musician,      |
| 6. Captain.                      | chief trumpeter, and saddler       |
| 7. First lieutenant.             | sergeant.                          |
| 8. Second lieutenant.            | 13. First sergeant.                |
| 9. Cadet.                        | 14. Sergeant and acting hospital   |
| 10. Sergeant-major (regimental). | steward.                           |
| 11. Quartermaster-sergeant (reg- | 15. Corporal.                      |
| imental).                        |                                    |

In each grade, date of commission, appointment, or warrant, determines the order of precedence.

**10.** Officers of the Regular Army, Marine Corps, and volunteers when commissioned or mustered into the service of the United States, being upon equal footing, take precedence in each grade by date of commission or appointment. Militia officers, when employed with the regular or volunteer forces of the United States, take rank next after all officers of like grade in those forces

**11.** Between officers of the same grade and date of appointment or commission, other than through promotion by seniority, relative rank is determined by length of service, continuous or otherwise, as a commissioned officer of the United States, either in the Regular Army, or, since April 19, 1861, in the volunteer forces. When periods of service are equal, precedence will, except when fixed by order of merit on examination, be determined, first, by rank in service when appointed; second, by former rank in the Army or Marine Corps; third, by lot, among such as have not been in the military service of the United States.

**12.** The relative rank between officers of the Army and Navy is as follows, lineal rank only being considered:

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| General with admiral.             | Lieutenant-colonel with commander. |
| Lieutenant-general with vice-ad-  | Major with lieutenant-commander.   |
| miral.                            | Captain with lieutenant.           |
| Major-general with rear-admiral.  | First lieutenant with lieutenant   |
| Brigadier-general with commodore. | (junior grade).                    |
| Colonel with captain.             | Second lieutenant with ensign.     |

## ARTICLE IV.

## COMMAND.

**13.** Command is exercised by virtue of office and the special assignment of officers holding military rank who are eligible by law to exercise command. Without orders from competent authority an officer can not put himself on duty by virtue of his commission alone, except as contemplated in the 24th and 122d Articles of War.

**14.** The following are the commands appropriate to each grade:

1. For a captain, a company.
2. For a major or lieutenant-colonel, a battalion or squadron.
3. For a colonel, a regiment.
4. For a brigadier-general, two regiments.
5. For a major-general, four regiments.

**15.** The functions assigned to any officer in these regulations by title of office devolve upon the officer acting in his place, except when otherwise specified. An officer in temporary command shall not, except in urgent cases, alter or annul the standing orders of the permanent commander without authority from the next higher commander.

**16.** An officer who succeeds to any command or duty stands in regard to his duties in the same situation as his predecessor. The officer relieved will turn over to his successor all orders in force at the time, and all the public property and funds pertaining to his command or duty, and will receive therefor duplicate receipts showing the condition of each article.

**17.** An officer of Engineers or Ordnance, or of the Adjutant-General's, Inspector-General's, Judge-Advocate-General's, Quartermaster's, or Subsistence Department, or of the Signal Corps, though eligible to command, according to his rank, shall not assume command of troops unless put on duty under orders which specially so direct, by authority of the President.

**18.** An officer of the Pay or Medical Department can not exercise command, except in his own department; but by virtue of his commission he may command all enlisted men like other commissioned officers.

**19.** When an officer is charged with directing an expedition or making a reconnaissance, without having command of the escort, the commander of the escort will consult him touching all arrangements necessary to secure the success of the operation.

## ARTICLE V.

## APPOINTMENT AND PROMOTION OF COMMISSIONED OFFICERS.

**20.** Notices of appointments and promotions are issued by the War Department, through the Adjutant-General of the Army.

**21.** Appointment to the grade of general officer is made by selection from the Army.

**22.** Promotions in established staff corps and departments to include the grade of colonel will be made by seniority, subject to the examinations required by law.

**23.** Promotions in the line of the Army to include the grade of colonel, in each arm of the service, will be made by seniority, subject to the examinations required by law, except that all officers of the line of the Army in

service October 1, 1890, above the grade of second lieutenant, will, subject to the prescribed examinations, be promoted in accordance with the regulations existing on that date.

**24.** Vacancies in the grade of second lieutenant existing on the 1st day of July each year are filled by appointment, in order, as follows: (1) From graduates of the United States Military Academy; (2) from enlisted men of the Army found duly qualified; (3) from civil life.

**25.** With a view to the selection of proper enlisted men of the Army as "candidates for promotion" to the grade of second lieutenant, each department commander will, as soon as practicable after March 15 of each year, convene a board of five officers for the preliminary examination of the soldiers of his command who are legally qualified applicants for a commission, to determine their eligibility for the competitive examination. This board will institute a rigid inquiry into the character, capacity, record, and qualifications of the several candidates, and will recommend none for competitive examination who are not able to establish their fitness for promotion to the entire satisfaction of the board. On September 1 of each year the War Department will convene a board of five officers for the final competitive examination to determine the fitness and order of merit for promotion of the soldiers who have successfully passed the preliminary examination. Two members of each board will be officers of the Medical Department.

**26.** Each enlisted man recommended in accordance with the law and the foregoing regulation will receive from the Adjutant-General of the Army a certificate of eligibility for appointment to the grade of second lieutenant and will be known as a "candidate" for promotion. He will have the title "candidate" prefixed to his name in all rolls, returns, orders and correspondence in which it appears, and will be entitled to wear the candidate's stripes on the sleeves of uniform coat, blouse, and overcoat, so long as he holds this specially honorable position. The candidate's stripe will be worn on the upper half of each cuff. It will consist of a double stripe running the length of the cuff, pointed at the upper end and with a small button below the point of the stripe; for uniform coat, of gold braid; for blouse and overcoat, of cloth of same color as facings of uniform; width of braid or cloth, one-quarter inch; width of space between braid, one-eighth inch.

**27.** The eligibility of a candidate for appointment as second lieutenant and his privileges as candidate terminate the 1st of September next succeeding his competitive examination, unless he shall again be recommended on competitive examination. A candidate who becomes ineligible by reason of age will be entitled to wear the candidate's stripe on the left sleeve so long as he maintains his good standing in the service. Having passed a departmental board, but having failed to pass the competitive board, he may again be examined by the competitive board on proper application made through department headquarters; he will not be required to pass a departmental board a second time. An applicant who twice fails in competitive examination to obtain a certificate of eligibility as candidate for promotion can not again compete for that position.

**28.** Candidates who may be guilty of misconduct will be promptly reported to the Adjutant-General of the Army, through regimental and department headquarters, the report to contain a full statement of the alleged misconduct, with names of witnesses. The department commander

will see that the candidate has a fair and impartial hearing, and will forward the report for the decision of the Secretary of War.

**29.** Candidates for promotion will not be deprived of the privileges of their position unless by sentence of a general court-martial or the order of the Secretary of War, except by operation of law or regulations. While holding the privileges of that position they will not be brought before a summary or field officer's court, or a garrison or regimental court-martial.

**30.** A soldier to be eligible for the position of candidate for promotion must be a citizen of the United States, unmarried, between 21 and 30 years of age on the 1st of September following his preliminary examination, and of good moral character both before and after enlistment. An applicant will not be ordered for the preliminary examination unless it is apparent that, on the 1st of September next following, he will have served honorably not less than two years, exclusive of technical service due to furlough or other absence from duty in his own interest; nor for the final competitive examination unless he shall have so served. Applications will be made to department commanders on or before February 1 of each year, and company commanders in forwarding them will certify all furloughs had by applicants, stating under what authority they were granted.

**31.** A civilian to be eligible for appointment must be a citizen of the United States, unmarried, between 21 and 27 years of age, must be examined and approved as to habits, moral character, mental and physical ability, education, and general fitness for the service, by a board convened and constituted as provided in paragraph 25 for the final competitive examination of soldiers.

## ARTICLE VI.

### STAFF APPOINTMENTS AND DETAILS. MILITARY ATTACHÉS.

**32.** As far as practicable, all appointments and details for staff duties will be equalized among the several regiments.

**33.** A major-general is allowed by law three aids, to be taken from captains or lieutenants of the Army. A brigadier-general is allowed two, to be taken from the lieutenants of the Army. An officer assigned to duty in accordance with his brevet rank as major-general or brigadier-general may, with the special sanction of the War Department, be allowed the aids of the grade. General officers may select their aids from officers serving in their commands, subject to the restrictions herein prescribed, but appointments as aids of officers serving without such limits must receive the approval of the Secretary of War. An officer will be appointed aid to a general officer only after he shall have actually served with troops for at least three of the five years immediately preceding such appointment. He will hold such appointment for no longer period than four years, except that, upon the request of a general officer whose retirement by reason of age will occur within one year, the tour of four years may be extended by the Secretary of War to the date of such retirement.

**34.** In making details for special duty and detached service, due consideration will be given to the efficiency, zeal, and reliability of officers as evidenced by the record of their services.

**35.** An officer will not be detached from his regiment or corps until he has served at least three years therewith, and when an officer shall have

been so detached for a period of four years, unless he be assigned to special duty by the War Department, he will apply for orders to be relieved.

**36.** An officer of the Army serving as military attaché abroad will be entitled to the following allowances: A suitably furnished office when needed, or an unfurnished room with one desk or table, six chairs, one book or file case, the articles allowed for an office desk by Regulations, and the stationery required in the performance of public duty, to be furnished by the Quartermaster's Department, and in either case the regulation allowance of fuel for one office fire. Mounted officers will be allowed forage if horses are actually kept, and officers not mounted, or mounted officers not drawing forage, the hire of a horse when necessary for mounted duty. Necessary funds for these allowances and blank forms for reports and returns will be procured by requisition on the Quartermaster-General. Money accounts will be rendered quarterly. Items for necessary cost of exchange will be entered on accounts current, the entries of each being supported by the certificate of the officer that current rates of exchange were paid and that other vouchers are not obtainable. Allowances of mileage, commutation of quarters, and, except as provided in paragraph 1121, transportation, are the same as when on other duty.

**37.** All publications of a military nature issued by the Government intended for delivery abroad will, unless otherwise ordered, be sent to the War Department, marked, "Division of Military Information."

## ARTICLE VII.

### CHAPLAINS.

**38.** Post chaplains will be assigned and transferred by the Secretary of War.

**39.** Department commanders will from time to time recommend such transfers of chaplains in their commands as may be deemed for the best interests of the service.

**40.** Chaplains will render to the Adjutant-General of the Army, through the usual military channels, on prescribed forms, monthly reports of duties performed. They will keep an accurate record of all marriage, baptismal, and funeral services performed by them, both for persons in the military service and for civilians. This will be one of the post records, and will be subject to examination by inspectors.

**41.** Chaplains will not be required to turn out with troops on occasions of ceremony, but will be inspected at post chapels, schoolrooms, or libraries, as may be designated by post commanders.

## ARTICLE VIII.

### TRANSFER OR EXCHANGE OF OFFICERS.

**42.** Officers transferred from one arm or corps to another, on mutual application, will be nominated for reappointment with rank as of the date of the commission of the junior officer previous to the transfer, and upon confirmation will be recommissioned accordingly. An officer of the lowest grade in any arm or corps who may be transferred, on his own application, to a vacancy in his grade in any other arm or corps will take rank next after the junior officer of the arm or corps to which he is transferred, and will be



nominated for reappointment, with a new date of rank if necessary to fix his proper position, and upon confirmation will be recommissioned accordingly. These new appointments and commissions will determine the rank of transferred officers in their regiments and corps, as well as in the Army.

**43.** Officers in each arm of the service will be transferred from one regiment to another therein, as the interests of the service require, by orders from the War Department, without change of rank or commission. The transfer or exchange of company officers of a regiment will be made by the Commanding General of the Army.

## ARTICLE IX.

### LEAVES OF ABSENCE TO OFFICERS.

#### ORDINARY LEAVES.

**44.** In time of peace the commander of a post may grant leaves of absence not to exceed seven days at one time, or in the same month; and he may give permission to apply to the proper authority for extension of such leaves for a period not to exceed twenty-three days.

**45.** The commander of a post may take leave of absence not to exceed seven days at one time, or in the same month, reporting the fact to his next superior commander.

**46.** A department commander may grant leaves for one month and the Commanding General of the Army for two months; or they may extend to such periods those granted by subordinate commanders. Applications for leaves of more than two months' duration, or from officers of the staff corps and departments for more than one month, or from department commanders desiring leaves of absence to pass beyond the territorial limits of their commands, will be forwarded to the Adjutant-General of the Army for the action of the Secretary of War.

**47.** An application for leave must state its desired duration. Intermediate commanders will indorse their recommendations upon the application.

**48.** Chiefs of bureaus may grant leaves for one month to officers of their respective corps serving under their immediate direction, or extend to that period those already granted to such officers.

**49.** Leaves of absence for three months, from date of graduation, will be allowed to graduates of the Military Academy. They will not be counted against them in subsequent applications for leave, but can not be postponed to another time.

**50.** Leaves of absence will not be granted so that a company will be left without a commissioned officer, or a post without two commissioned officers and competent medical attendance; nor will leave of absence be granted to an officer during the season of active operations, except in case of urgent necessity.

**51.** Leave of absence exceeding seven days, except under extraordinary circumstances particularly stated in the application, will not be granted to an officer until he has joined his regiment or corps, and served therein at least two years.

**52.** Applications for leaves of absence will not be made except through military channels, nor will extensions be granted unless recommended by competent authority.

**53.** Leaves of absence will be granted in terms of months and days, as "one month," "one month and ten days." Leave for one month, beginning on the first day of a calendar month, will expire with the last day of the month, whatever its number of days. Commencing on an intermediate day, the leave will expire the day preceding the same day of the next month. The day of departure, whatever the hour, is counted as a day of duty; the day of return, as a day of absence.

**54.** A leave of absence commences on the day following that on which the officer departs from his proper station. The expiration of his leave must find him at his post, except as indicated in paragraph 1331. A leave of absence granted an officer in the field, or on special duty, will take effect on the termination of the campaign, or on the completion of such duty, unless in the opinion of the department commander his services can sooner be spared, in which case it will take effect at such time as the department commander may direct. In all other cases an officer is expected to avail himself of a leave as soon as proper facilities offer, unless a specific date is stated in the order, and if unable to do so, he will report the fact to the authority granting the leave.

**55.** Officers will not leave the United States to go beyond the sea, without permission from the War Department.

**56.** An officer of the Army visiting foreign countries, whether on duty or leave, will avail himself of all proper opportunities to obtain military information, especially such as pertains to his branch of the service. He will report the results of his observations to the Adjutant-General of the Army on his return to duty, or sooner if practicable.

**57.** An officer granted leave of absence for more than seven days will, before taking advantage thereof, report to his post and regimental or corps commander and to the Adjutant-General of the Army the probable date of his departure and his new address, and thereafter he will immediately report any change in his address to the same officers. Verbal permits for less than twenty-four hours are not counted as leaves of absence, but every other absence, of whatever duration, with date of departure and return, will be noted on the post regimental and department returns.

**58.** Permission to hunt will not be considered as a leave of absence if the officer on his return to the station forwards to department headquarters, through his commanding officer, a certificate that his time while absent was employed solely in hunting, and furnishes a report giving as complete a description as possible of the country traversed by him.

**59.** All applications for extensions of leaves of absence or for delays, and all correspondence regarding them, will pass through military channels.

#### SICK LEAVES.

**60.** Application for leave of absence on account of sickness will be made to the commanding officer, who will refer it to the surgeon. The surgeon will examine the applicant and should he find the leave necessary to restore health, he will submit to the commanding officer a medical certificate in the prescribed form, stating explicitly the nature, seat, and degree of the disease, wound, or disability, the cause thereof if known, and the period during which the officer has suffered from it. He will also give his opinion as to whether the disease, wound, or disability can be satisfactorily treated within the department in which the officer is stationed, or whether a change of climate

or locality within the United States is necessary to afford more rapid or perfect recovery, in which case the special place or region recommended will be designated, with reasons therefor. The surgeon will also state whether, in his opinion, the disease, wound, or disability requires treatment by a specialist, and, if so, the nearest place where it can be obtained; also whether the wound or disease incapacitates the officer from all duty, or whether he can perform special duty, and, if so, the kind that he may undertake without endangering his ultimate cure.

**61.** The Commanding General of the Army and department commanders have the same authority to grant leaves of absence on account of sickness as to grant ordinary leaves. Permission to go beyond the limits of the command in which the applicant is stationed will be given only when the certificate of the medical officer shall state explicitly that it is necessary to afford rapid or perfect recovery.

**62.** On the expiration of a sick leave, if the officer be able to travel, he will proceed to his post or station. If an extension of such leave be necessary, he will make timely application therefor through the same channel as in case of request for extension of ordinary leave, basing his application upon a medical certificate in prescribed form. When he can not procure the certificate of a medical officer he will substitute his own certificate, on honor, as to his condition, which will embrace a full statement of his case. While absent from duty he will make report in the same manner as if on ordinary leave.

**63.** An officer who starts to join his station at the expiration of a sick leave will be reported on the rolls and returns as "en route to join station from sick leave of absence," during the time necessarily consumed in making the journey to his post. Should he delay en route, or consume more time in the journey than is necessary, the commanding officer will require him to explain in writing the cause of delay. This explanation will be forwarded to the Adjutant-General of the Army, with the remarks of intermediate commanders.

**64.** An ordinary leave will not be changed to a sick leave, unless the officer desiring it make application therefor through his post commander, by whom it will be referred to the surgeon, who will certify as to the necessity of the change, or otherwise, as the case may be. The post commander will forward the application through intermediate commanders, who will indorse their remarks thereon for the action of the Commanding General of Army or the Secretary of War. In all reports concerning absence on account of sickness the officer will state how long he has been absent sick, and by what authority.

## ARTICLE X.

### OFFICERS TRAVELING ON DUTY.

**65.** When an officer is ordered without troops from one post of duty to another, he will proceed by the shortest usually traveled route, without unnecessary delay. Upon his arrival at his new post he will immediately report in writing to the commanding officer the date of his departure from his former station, and submit a copy of his order, noting thereon the date he received it. If he shall appear to have made unnecessary delay en route, he will be required to explain the cause thereof. If the post commander deem the explanation unsatisfactory, he will forward the same, with a statement

of the facts in the case, to the department commander. If the officer be superior in rank to the post commander, the required report will be made by the officer himself to the department commander.

**66.** Orders detaching an officer for special duty will direct him to return to his proper station on the completion of the duty assigned him, when it is intended that he shall do so.

**67.** Delays in obeying orders, in reporting for duty, or in returning to duty from leave can not be authorized except by the Secretary of War or the Commanding General of the Army. Such delays will be regarded as leaves of absence, unless it be stated in the order granting them that they are in the interest of the public service.

**68.** Orders contemplating the payment of mileage must state the special duty enjoined, and that the travel directed is necessary for the public service. They will not direct travel beyond the limits of the command of the officer who issues them. When a general officer is ordered on duty beyond the limits of his command, he may order an officer of his staff to accompany him; if ordered to change station, he may order the necessary change of station of his personal staff.

**69.** Staff officers not serving under department commanders will apply to the War Department for orders directing necessary travel on public business.

**70.** When urgent public duty has compelled travel, without authority previously obtained, the case will be immediately reported to the proper superior officer, whose approval in subsequent orders will be accepted as though previously issued.

**71.** Orders directing officers to visit Washington for the settlement of their accounts will be issued only by the Secretary of War.

**72.** Officers and enlisted men reporting as witnesses before a civil court should receive from the civil authorities the necessary expenses incurred in travel and attendance. Neither mileage nor travel allowances will be paid in such cases by the War Department. If, however, it is absolutely necessary to furnish them transportation in kind to enable them to appear, as witnesses for the Government, before a civil court of the United States, an account of such expenditure, together with the evidence that they were properly subpoenaed and did attend the court, will be forwarded to the War Department for presentation to the Department of Justice. Officers providing such transportation will notify the court, or the marshal thereof, that it was furnished to enable the witnesses to perform the requisite journeys in obedience to the summons.

## ARTICLE XI.

### RETIREMENT OF OFFICERS.

**73.** When an officer becomes disabled for the performance of duty by reason of wounds, sickness, or improper habits, his immediate commander will report the facts to the department commander for the action of the War Department. The report in each case will contain specific statements and the names of witnesses by whom they can be substantiated.

**74.** Habitual intemperance, gambling, or other vices that tend to corrupt an officer and lower the professional standard, will be regarded as proper subjects for the consideration and report of a retiring board.

**75.** When ample testimony establishes the fact that an officer has through vicious indulgence slighted or neglected his duties to such a degree as to make it unsafe to intrust him with a command, or with responsibility that properly belongs to his grade, and when it is shown that such habits have continued for such length of time as to render permanent reformation improbable, this fact, rather than his condition when he appears before the board, shall weigh in its verdict as to his incapacity for active duty.

**76.** The uniform of an officer on the retired list is that of his actual rank in his regiment or corps when retired, except that the number of the regiment or insignia of corps or department will not be worn. A retired officer with brevet commission, either in the regular or volunteer service of the Army of the United States, may wear the uniform of his highest brevet grade, and an officer who has held a commission, not brevet, in the volunteer service, may wear the uniform of his highest grade in that service except that the number of the regiment or insignia of corps or department will not be worn.

## ARTICLE XII.

### RESIGNATION OF OFFICERS.

**77.** A resignation tendered by an officer will be forwarded by his commanding officer, through prescribed channels, to the Adjutant-General of the Army for the decision of the President. Until duly accepted, the officer will not be considered as out of the service.

**78.** A resignation tendered under charges will be forwarded, accompanied by a report of the case, or if practicable, a copy of the charges. All correspondence with the War Department, on the part of the officer who tenders the resignation, will be conducted through prescribed channels.

**79.** Leave of absence will not be granted on tender of resignation unless the resignation be unconditional and immediate. When leave is requested, the officer's address will accompany the resignation.

**80.** An officer of the Army on the active list who accepts or exercises the functions of a civil office thereby ceases to be an officer of the Army. An officer on the active list can not lawfully accept or hold any office created by State statutes, whether in State military organizations or otherwise.

## ARTICLE XIII.

### DECEASED OFFICERS.

**81.** The death of an officer, with place, cause, day, and hour, will be reported without delay by his immediate commander direct to the Adjutant-General of the Army. A duplicate of this report will be forwarded to department headquarters. When the death occurs away from the officer's station, in hospital or on leave, the medical officer, if one be present, or any officer having cognizance of the fact, will make the report.

**82.** Inventories of the effects of deceased officers, as required by the 125th Article of War, will be transmitted to the Adjutant-General of the Army. If legal representatives take possession of the effects the fact will be stated in the inventory.

**83.** If there be no legal representatives present to receive the effects, a list of them will be sent to the nearest relative of the deceased. At the end

of two months, if not called for, they will be sold at auction and accounted for as in the case of deceased soldiers, except that swords, watches, trinkets, and similar articles will be labeled with the name, rank, regiment, and date of death of the owner, and sent through the Adjutant-General to the Auditor for the War Department for the benefit of the heirs.

**84.** On the death of an officer in charge of public property or funds, his commanding officer will appoint a board of survey, which will inventory the same, and make the customary returns therefor, stating accurately amounts and condition. These the commanding officer will forward to the chiefs of the bureaus to which the property or funds pertain, and he will designate an officer to take charge of such property or funds until orders in the case are received from the proper authority.

**85.** The remains of officers killed in action, or who die when on duty in the field or at military posts, or when traveling under orders, will be decently inclosed in coffins, and unless claimed by relatives or friends, will be transported by the Quartermaster's Department to the nearest military post or national cemetery for burial. The expense of transporting the remains is payable from the appropriation for Army transportation; other expenses of burial are limited to \$75. If buried at the place of death, the fact will be reported to the Adjutant-General of the Army.

#### ARTICLE XIV.

##### DETAILS TO COLLEGES.

**86.** Officers of the Army may be detailed to act as superintendents or professors of established military institutes, seminaries or academies, colleges or universities. Officers desiring such details may apply to the Adjutant-General of the Army through regular channels.

**87.** Officers serving with light batteries, regimental staff officers, officers who have served less than five years in the Army or less than three years with their regiments or corps, those who have recently completed a tour of detached duty, and officers on duty as instructors or students at the service schools will not be eligible.

**88.** A retired officer may, at his own request, be detailed for this duty, or he may arrange to serve at a college without detail from, or reference to, the War Department.

**89.** No detail will be made to any college or university unless the officer is acceptable to the authorities of the institution.

**90.** Instructions to officers detailed under paragraph 86, and regulations concerning applications for officers, apportionment of details, and the issue of the ordnance stores authorized by law, will be furnished by the War Department.

#### ARTICLE XV.

##### THE POST NONCOMMISSIONED STAFF.

**91.** The post noncommissioned staff consists of ordnance, commissary, and post quartermaster sergeants. They are appointed by the Secretary of War, after due examination, from sergeants in the line of the Army; ordnance sergeants from those who have served at least eight years in the Army, including four years as noncommissioned officers, and who are less

than 45 years of age ; commissary sergeants, from those who have served five years in the Army, including three years as noncommissioned officers ; post quartermaster-sergeants, from those who have served four years in the Army.

**92.** An application for appointment must be in the handwriting of the applicant, and will briefly state the length and nature of his military service, and for what time and in what organizations he has served as a non-commissioned officer. The company commander will indorse thereon the character of the applicant, and his opinion as to his intelligence and fitness for the position. The application so indorsed will be submitted to the regimental commander, who will forward the same, with his remarks as to the merits of the applicant, to the Adjutant-General of the Army.

**93.** While the law contemplates in these appointments the better preservation of public property at the several posts, there is also a further consideration—that of offering a reward to faithful and well-tried sergeants, thus giving encouragement to deserving soldiers to hope for substantial promotion. Colonels and captains can not be too particular in investigating and reporting upon the character and qualifications of applicants.

**94.** Before the applicant is appointed he will be examined by a board of officers convened for the purpose by the department commander under orders from the Secretary of War.

**95.** Preliminary to the examination by the board, the applicant will be examined by a medical officer, to determine whether he is physically fitted to perform all duties incident to the position sought.

**96.** The examining board will inquire into, and report upon, the age, character, service, and physical condition of the applicant ; upon his education, clerical proficiency, and general fitness to perform the duties of the position sought ; upon his knowledge of Army Regulations and the regulations of the department which he seeks to enter.

**97.** Before assignment to posts, ordnance sergeants will be sent to arsenals, when practicable, for temporary duty and instruction.

**98.** The stations of post noncommissioned staff officers will be designated by the Secretary of War.

**99.** A sergeant of the post noncommissioned staff will assist the officer of his department, and will not be detailed upon any service that will interfere therewith. If the necessities of the service require such detail, the post commander will note the fact, with reasons therefor, on the sergeant's monthly personal report.

**100.** A sergeant of the post noncommissioned staff at an ungarrisoned post or station will be responsible for the property of his own department, and for such other property as may be intrusted to him for safe-keeping. For all public property committed to his charge he will account to the heads of the staff departments concerned, and if the means at his disposal are insufficient for its preservation, he will report the facts.

**101.** The military control of noncommissioned officers of the general staff serving at posts not occupied by troops is vested in the commander of the territorial department in which they are serving. All matters relating to them as soldiers subject to military command, as distinguished from the administrative duties imposed upon them by regulations and orders, will,

## 14 POST NONCOMMISSIONED STAFF—DETACHED SOLDIERS.

except in cases of re-enlistment, be determined at department headquarters, where their descriptive lists and accounts of pay and clothing will be kept. When they are discharged a copy of the descriptive list, upon which will be noted the fact of discharge, with the date, place and cause, and the character given on the discharge certificate, will be forwarded to the Adjutant-General of the Army.

**102.** Each sergeant of the post noncommissioned staff will make such personal reports as may be required by the head of the staff department to which he belongs. The officer under whose orders he is serving will indorse on each report his opinion of the manner in which the sergeant has performed his duties, and the post commander will forward the report direct to the chief of bureau. If, there be no troops at the post, the sergeant will forward the report direct to the Adjutant-General of the Army.

**103.** A sergeant of the post noncommissioned staff may be re-enlisted, provided he shall have conducted himself properly and performed his duties in a satisfactory manner. If, however, his commanding officer shall not think it proper to make the re-enlistment, he will communicate his reasons to the Adjutant-General of the Army in time to receive the decision of the War Department before the sergeant's discharge. If serving at an ungarrisoned post, application for re-enlistment will be made by the sergeant to the Adjutant-General of the Army, through department headquarters. One of the duplicate re-enlistment papers will be forwarded to the Adjutant-General of the Army; the other will be filed at the sergeant's station, if a garrisoned post, or if not, at the headquarters of the department in which he is serving.

**104.** Sergeants of the post noncommissioned staff, though liable to discharge for inefficiency or misconduct, will not be reduced.

### ARTICLE XVI.

#### DETACHED SOLDIERS.

**105.** Enlisted men detached from their companies will be provided with descriptive lists showing the pay due them, the condition of their clothing allowances, and all information necessary to the settlement of their accounts with the Government should they be discharged. When it can be avoided, the descriptive list will not be intrusted to the soldier, but to an officer or noncommissioned officer, under whose charge he may be serving, or it may be forwarded by mail. The immediate commanding officer will note upon the descriptive lists the date and result of the last vaccination of each soldier.

### ARTICLE XVII.

#### FURLOUGHS TO SOLDIERS.

**106.** Furloughs in the prescribed form for periods of twenty days may be granted to enlisted men by commanding officers of posts, or by regimental commanders, if the companies to which they belong are under their control. A furlough will not be granted to a soldier about to be discharged.

**107.** Department commanders may grant furloughs to enlisted men, sergeants of the post noncommissioned staff excepted, for two months, and the Commanding General of the Army for four months, or they may extend to such periods furloughs already granted. For a longer period than four months the authority of the Secretary of War is necessary. Permission to delay



may be granted to enlisted men traveling under orders as authorized for furloughs. The conditions under which furloughs to soldiers on re-enlistment are authorized will be announced from time to time in orders.

**108.** Furloughs to sergeants of the post noncommissioned staff, or to enlisted men acting as such, may be granted as follows: By a post commander for seven days in case of emergency only; by a department commander for one month. Application for furlough for a longer period will be forwarded to the Adjutant-General of the Army for the decision of the Secretary of War.

**109.** Furloughs will not be granted by commanding officers permitting soldiers to go beyond the limits of the next higher command. To enable them to pass such limits the sanction of higher authority must be obtained and indorsed on the furloughs. The approval of the Secretary of War must be obtained to allow an enlisted man on furlough to leave the United States. The limits prescribed will be stated in the furlough, and if exceeded, it may be revoked and the soldier arrested. A company commander in forwarding an application for furlough will state previous absences on furlough, and the authority therefor.

**110.** On the application of a soldier on furlough, made at the nearest military station and showing clearly the urgency of his case, a department commander may order transportation and subsistence to be furnished to enable him to rejoin his proper station, and the company commander will charge the cost thereof against the soldier's pay on the next muster and pay roll, in accordance with paragraphs 1083 and 1277. The date of the application will be entered on the furlough.

**111.** A soldier who has returned from furlough to the station from which furloughed, his company having in his absence changed station, is entitled to transportation at the expense of the Government to the new station of his company.

**112.** Soldiers on furlough will not take with them their arms or accoutrements, and no payments will be made to them without authority from the Secretary of War.

## ARTICLE XVIII.

### TRANSFER OF ENLISTED MEN.

**113.** Transfers of enlisted men will be made for cogent reasons only. They will be effected as follows:

1. From one company to another of the same regiment, not involving change of station, by the colonel. In cases involving change, then by the colonel with the consent of the department commander if change of station is within department limits.

2. From one regiment to another, and between companies of the same regiment serving in different military departments, by the Commanding General of the Army.

3. In all other cases, by the Secretary of War.

**114.** A transfer will take effect on the receipt of the order at the post where the soldier is serving, and a descriptive list containing the date of transfer will be forwarded to the commanding officer of the company or detachment to which the soldier is transferred.

## ARTICLE XIX.

## DESERTERS.

**115.** When a soldier deserts, a board of survey will be called to ascertain whether he has lost or abstracted any articles of Government property, and if so, to determine the money value of the same. The value of the articles thus found to be missing will be charged against the deserter on the next muster and pay-roll of his company, which will be accompanied by a copy of the board's report. A copy of so much of the proceedings as relates to the property charged on any roll will accompany the return to which the property pertains. The board will also fully investigate the circumstances attending desertion, especially the causes which induced it, and make a separate report in each case of its investigation and conclusions thereon, which will be transmitted to department headquarters through intermediate channels.

**116.** Department commanders will carefully consider the special reports made in accordance with the foregoing paragraph, and on or before the 1st of August of each year, forward to the Adjutant-General of the Army reports of the desertions which have occurred within their commands during the preceding fiscal year, with an expression of their views as to the causes of the same and the measures which should be taken to prevent their recurrence. Commanders of posts and officers in charge of recruiting stations will take prompt action to arrest all deserters amenable to trial and punishment.

**117.** Deserters received at recruiting stations, if physically fit for service, will be sent at once to such military post as the commander of the department in which the arrest or delivery is made may designate, provided, however, that recruit deserters and deserters physically disqualified for service will be held at the recruiting stations, and direct telegraphic report made to the Adjutant-General of the Army with request for instructions. The necessary transportation will be furnished by the Quartermaster's Department.

**118.** Soldiers deserting from and deserters received at a post other than the station of the companies or detachments to which they belong will be reported by the commanding officer of such post to the commanding officers of their companies or detachments.

**119.** When a report is received of the apprehension or surrender of a deserter at a post other than the station of his company, his company commander will immediately forward his descriptive list and account of pay and clothing to the officer making the report.

**120.** When a deserter surrenders or is delivered at a military post the post commander will cause immediate inquiry to be made in regard to dates of enlistment and desertion, and if these indicate that trial is barred by law, and the deserter claims to have been within the limits of the United States during two years of his absence in desertion and there is no attainable evidence in disproof thereof, will require him to file an affidavit asserting his claim, will immediately set him at liberty with instructions to apply by letter to the Adjutant-General of the Army for a "deserter's release," and will then report his action to the Adjutant-General of the Army, transmitting with the report the affidavit above mentioned.

**121.** An enlisted man apprehended or surrendering as a deserter, and whose trial for desertion is not barred by the statute of limitations, will be examined by a medical officer at the post where he is received, and a report of this examination will be forwarded to department headquarters. If, on account of disease, age, or other permanent disability, the man is found unfit for service, the report, with the department commander's recommendation thereon, will be forwarded to the Adjutant-General of the Army. If the examination shows that the man is fit for service, the department commander will bring him to trial, or restore him to duty without trial, as the interests of the Government may dictate.

**122.** Whenever a desertion occurs at a post, the commanding officer will cause a number of descriptive lists of the deserter to be prepared on the special form prescribed. Copies of this list will be sent at once to such marshals, sheriffs, and police officers as the commanding officer may deem proper; also to the officer in charge of any recruiting station at or near the deserter's place of enlistment, who will distribute them to the best advantage among civil officers in that vicinity authorized by existing law to summarily arrest deserters from the Army.

**123.** A post commander will promptly notify the surgeon of every desertion from his command, giving the full name, company, and regiment of the deserter, with dates of enlistment and desertion, and the surgeon will at once report the case to the Surgeon-General direct. When there is no surgeon on duty at the post, the post commander will make the report to the Surgeon-General. Blanks for this purpose will be furnished by the Medical Department.

**124.** A reward of \$10 will be paid to any civil officer having the proper authority for the apprehension and delivery to the proper military authorities at a military station (or at some convenient point as near thereto as can be agreed upon) of any deserter from the military service, except such as can claim exemption from trial under the statute of limitations. This reward will be paid by the Quartermaster's Department and will be in full satisfaction of all expenses for arresting, keeping, and delivering the deserter. The payment will be reported to the commander of the company or detachment to which the deserter belongs.

**125.** When enlisted men are sent in pursuit of a deserter, the expenses necessarily incurred will be paid whether he be apprehended or not, and will be reported as in payment of rewards. Should a written order be issued for this duty and a transportation request be furnished the party in pursuit, the name, rank, company, and regiment of the deserter will be stated in the order and also noted on the request.

**126.** Rewards or expenses paid for apprehending a deserter, and the expenses incurred in transporting him from point of apprehension, delivery, or surrender to the station of his company or detachment, or to the place of his trial, including the cost of transportation of the guard, will be set against his pay upon conviction of desertion by a court-martial, or upon his restoration to duty without trial. A soldier convicted by a court-martial of absence without leave will be charged with the expense incurred in transporting him to his proper station. The transportation and subsistence of witnesses will not be charged against a deserter.

**127.** If a soldier be brought to trial under a charge of desertion and acquitted, or convicted of absence without leave only, or if the sentence be disapproved by proper authority, any amount paid as a reward for his arrest will not be stopped against his pay unless, in case of conviction of absence without leave, the sentence of the court shall so direct.

**128.** A reward of \$10 will be paid by the Quartermaster's Department for the capture and delivery at any military post of an escaped general prisoner. This amount will be in full for all expenses incurred in capture and delivery. The payment will be reported to the commanding officer of the post from which the prisoner escaped, and this officer will inform the Adjutant-General of the Army of the date of escape and the date and place of capture.

**129.** Deserters will be brought to trial with the least practicable delay. While awaiting trial they will receive no pay, and will be required to wear the clothes worn at the time of arrest, unless it should be imperative to issue other clothing, when, as far as practicable, only deserters' or other unserviceable clothing will be issued.

**130.** The clothing abandoned by a deserter will be turned over to the quartermaster with a certificate from the company or detachment commander showing its condition and the name of the deserter to whom it belonged. All other personal effects of a deserter will be disposed of as in the case of unclaimed effects of deceased soldiers.

**131.** A deserter will make good the time lost by desertion, unless discharged by competent authority. He will be considered again in service upon his return to military control; but if a deserter enlists while in desertion, his services under such unlawful enlistment will not be counted as making good any of the time lost by desertion.

**132.** A deserter will not be restored to duty without trial, except by authority competent to order his trial. Such restoration does not remove the charge of desertion, nor relieve the soldier from any of the forfeitures attached to that offense. He must make good the time lost by desertion, refund the reward and expenses paid for apprehension and delivery, and forfeit pay while absent.

**133.** An enlisted man who absents himself from his post or company without authority will forfeit all pay and allowances accruing during such absence, and upon conviction by court-martial make good the time lost. No man will be reported a deserter until after the expiration of ten days (should he remain away that length of time), unless the company commander has conclusive evidence of the absentee's intention not to return; but commanding officers will take steps to apprehend soldiers absent without leave as soon as that fact is reported. Should the soldier not return, or not be apprehended, within the time named, his desertion will date from the commencement of the unauthorized absence. An absence without leave of less than one day will not be noted upon the muster and pay rolls.

**134.** Soldiers not charged with crime, discovered to be deserters from the Navy or Marine Corps, will be dropped from the rolls of the Army. In such cases, reports with descriptive lists will be forwarded to the Adjutant-General of the Army by the proper commanding officer, who will hold the men in confinement without pay, awaiting instructions regarding their disposition. Deserters from the Navy will not be received at military posts.

## ARTICLE XX.

## RETIREMENT OF ENLISTED MEN.

**135.** When an enlisted man shall have served as such for thirty years, either in the Army or the Marine Corps and the Army, he may apply to the Adjutant-General of the Army for retirement. Upon the approval of the application an order will be issued from the Adjutant-General's Office transferring him to the retired list and directing that transportation in kind to his home and commutation of subsistence during necessary travel be given him. Length of war service (both enlisted and commissioned) with the Army in the field, or with the Navy or Marine Corps in active service (either as volunteer or regular) during the War of the Rebellion, will be doubled in computing the thirty years necessary to entitle him to be retired.

**136.** Upon receipt of the order for retirement, the soldier's immediate commanding officer will furnish him with final statements, closing his accounts of pay, deposits, and all allowances other than those of travel, as of the date of the receipt of the order; he will forward to the Adjutant-General of the Army a descriptive list (in duplicate), noting thereon the fact that final statements have been given, the re-enlistment or the continuous-service pay per month for which the soldier was last mustered, and his post-office address for the next thirty days. The descriptive list will bear the soldier's signature, or, if he can not write, a statement to that effect. The final statements and descriptive lists must state the date to which subsistence has been furnished, also whether subsistence while traveling home has been furnished, and, if so, for what dates. A discharge certificate will not be given, but the soldier will be dropped from the rolls of his command with appropriate explanatory remarks. The Pay Department will be notified and furnished with the soldier's signature, as in case of discharge.

**137.** On the last day of every calendar month each retired enlisted man will report to the Adjutant-General of the Army his post-office address. Blank forms for personal reports and pay accounts, with official penalty envelopes, will be furnished retired enlisted men upon application to the Adjutant-General of the Army.

**138.** The authorized pay and allowances of retired enlisted men will be paid them monthly by the Pay Department. Their pay will be three-fourths of the monthly pay allowed them by law in the grade held when retired, including re-enlisted and continuous-service pay then received. No deduction will be made except the monthly tax of  $12\frac{1}{2}$  cents for support of the Soldiers' Home. They are not entitled to commutation for fuel or quarters, but will receive commutation for subsistence and clothing as follows:

*For subsistence.*—At the rate of  $22\frac{1}{2}$  cents per day.

*For clothing.*—Three-fourths of the average annual allowance prescribed in orders for an entire enlistment in the grade from which retired, one-twelfth of such amount to be paid monthly. The allowance of clothing to chief musicians is the same as that to quartermaster-sergeants.

**139.** The Adjutant-General of the Army will furnish a descriptive list to each enlisted man on the retired list, who will forward the same at the end of each calendar month, with pay accounts signed in duplicate, to such paymaster as the chief paymaster of the department in which the soldier

resides may designate. The paymaster will note the fact of payment on the descriptive list. If the soldier can not write, his mark should be witnessed by a commissioned officer, if practicable; otherwise by some well-known person, preferably the postmaster of his place of residence.

## ARTICLE XXI.

### DISCHARGES. CERTIFICATES OF DISABILITY.

#### DISCHARGES.

**140.** An enlisted man will not be discharged before the expiration of his term except:

1. By order of the President or Secretary of War.
2. By sentence of a general court-martial.
3. On certificate of disability, by direction of the commander of a territorial department or army in the field; but when the disability of a soldier is caused by disease contracted before enlistment, or by his own misconduct or bad habits, discharge will be ordered only by the Secretary of War.
4. In compliance with an order of one of the United States courts, or a justice or a judge thereof, on a writ of habeas corpus.

**141.** When an enlisted man is discharged, his company commander will furnish him with final statements in duplicate or a full statement in writing of the reasons why such final statements are not furnished. Final statements will not be furnished a soldier who has forfeited all pay and allowances and has no deposits nor detained pay due him. When the discharge is made on certificate of disability, the ascertained disability as recited in the certificate must be given in the final statements as the reason or cause for discharge.

**142.** When an enlisted man is discharged by expiration of service his discharge will take effect on the last day thereof; i. e., if enlisted on the second day of the month his term will expire on the first day of the same month in the last year of his term of enlistment.

**143.** Discharge certificates will not be made in duplicate. Upon satisfactory proof of the loss of a discharge, or of its destruction without the fault of the party entitled to it, the War Department may issue to such party a certificate of service, showing date of enlistment in and discharge from the Army and character given on discharge certificate. Discharge certificates must not be forwarded to the War Department in correspondence unless called for.

**144.** In time of peace, a soldier serving in the second year or first six months of the third year of his first enlistment may apply to the Adjutant-General of the Army through military channels, for the privilege of purchasing his discharge, but such application will not be entertained unless based on satisfactory reasons fully set forth by the applicant and verified by the officer forwarding the application, nor unless accompanied by a statement of the soldier's immediate commanding officer showing the condition of his accounts. If such application be granted, the purchase price will be entered on the final statements as an item due the United States. A soldier once discharged by purchase will not be granted that favor a second time. A soldier serving in a second or any other enlistment, but not receiving continuous service or re-enlisted pay, is not debarred from discharge by purchase.

The price of purchase in the first month of the second year will be \$120, and will be \$5 less in each succeeding month of the period during which purchase may be authorized.

**145.** Enlisted men who have served meritoriously twelve years or more, continuously or otherwise, will be classified as veteran soldiers. If it be for their material benefit, discharge may be granted them by the Secretary of War by way of favor as veterans. A soldier once discharged as a veteran will not be discharged again by way of favor.

**146.** Soldiers discharged as provided in paragraphs 144 and 145 will not receive travel allowances.

**147.** Transcripts from records of civil courts need not accompany applications for discharge of enlisted men sentenced to imprisonment by such courts. The official statement of the company commander to that effect is sufficient.

**148.** The cause of discharge and the soldier's age at its date will be stated in the body of the discharge certificate. His character will be accurately described at the bottom of the certificate, but if not sufficiently good to allow of his re-enlistment, that portion of the certificate relating to his character will be cut off. The words "Service honest and faithful," or "Service not honest and faithful," as the case may be, will be entered under "Remarks" in the military record on the back of the discharge certificate, and will also be noted on the final statements. The company commander will, before submitting the discharge certificate to the proper officer for signature, inform the soldier of the character he intends to give him. Should the soldier feel that injustice will be done him thereby he may at once apply for redress to the post commander, who will immediately convene a board of officers to determine the facts in the case, and will briefly note the finding of the board, if approved by him, on the discharge certificate. But in all cases where the company commander deems a soldier's services unfaithful, he should whenever practicable notify the soldier at least thirty days prior to discharge of the character which he intends to give, in order that the soldier may have ample opportunity to apply for and be heard before the board. In such cases the proceedings of the board, showing all the facts pertinent to the inquiry, with the views of the intermediate commanders indorsed thereon, will be transmitted for the consideration and action of the War Department. This board may be called upon the application of the post or company commander, and if by the former the department commander shall appoint it. The character given by the company commander, also the character found by the board, will be noted on the muster-roll. The officer who prepares the discharge will state thereon whether the man is married or unmarried, the number of his minor children, and, if discharged from a re-enlistment, the number thereof.

**149.** If a soldier be discharged while absent from his company, the date, place, and cause thereof will be reported to his company commander by the officer giving the discharge, and this report will be accompanied by a complete descriptive list.

**150.** In order to prevent payment on fraudulent discharge papers, the officer who prepares the final statements of a soldier will, shortly before his discharge, send to the paymaster to whom the soldier may wish to apply for payment, a notification in his own handwriting, stating therein the date of last payment to the soldier and his credits and debits, both in words and

figures. The officer will also send the soldier's signature, or will report that the soldier can not write his name. This notification will not be given to the soldier, but will be sent by mail, so as to reach the paymaster before the soldier can report for payment. The officer issuing the final statements will inform the discharged soldier, in writing, of the name and location of the paymaster to whom he shall apply for payment, and at the same time send the required notification to the designated paymaster.

**151.** Blank forms for discharge and final statements will be furnished by the Adjutant-General of the Army, and will be retained in the personal custody of company commanders; those for discharge will be of three classes: For honorable and for dishonorable discharge, and for discharge without honor. They will be used as follows:

1. The parchment discharge blank, for honorable discharge only, and the word "honorably" will be interlined in the old blanks when used.

2. The blank for dishonorable discharge, for such discharge alone.

3. The blank for discharge without honor, when a soldier is discharged:

- (a) Without trial, on account of fraudulent enlistment.

- (b) Without trial, on account of having become disqualified for service, physically or in character, through his own fault.

- (c) On account of imprisonment under sentence of a civil court.

- (d) On account of being, at the expiration of his term of enlistment, in confinement under the sentence of a general court-martial which does not provide for dishonorable discharge.

- (e) With forfeiture of retained pay on the approved finding of a board that he has not served honestly and faithfully.

- (f) When discharge without honor is specially ordered by the Secretary of War for any other reason.

**152.** A dishonorable discharge from the service is a complete expulsion from the Army, and covers all unexpired enlistments.

**153.** When transportation in kind is furnished a discharged soldier to enable him to reach a paymaster, the quartermaster will note on the final statements that "transportation in kind from ——— to ———" has been furnished, stating the cost when it can be ascertained by him. If transportation be furnished to a soldier discharged at the place of his enlistment, to enable him to reach a paymaster, the cost thereof, which will be ascertained and noted on the final statements, will be deducted.

#### CERTIFICATES OF DISABILITY.

**154.** When an enlisted man is permanently unfitted for military service because of wounds or disease, he should, if practicable, be discharged on certificate of disability before the expiration of the term of service in which the disability was incurred. Blank forms will be furnished by the Adjutant-General of the Army, and the directions thereon will be strictly complied with.

**155.** When physical disability does not appear to be permanent, was incurred in line of duty, and benefit may be expected from a change of climate, a report of the case will be forwarded for the action of the Commanding General of the Army. The soldier will not be transferred to another company. In cases likely to be benefited by treatment in the Army and Navy General Hospital at Hot Springs, Ark., the application required by the regulations for admission thereto will be made. A record of cases



transferred under the foregoing provisions, with a report of results, will be forwarded to the Surgeon-General at the end of each calendar year.

**156.** When an application for discharge is approved, the post or regimental commander will furnish to the surgeon by whom the certificate was given, or to the senior surgeon of the command to which the soldier was attached at the time of his discharge, a letter setting forth the full name and rank of the soldier, the company and regiment to which he belonged, the date of discharge, and the cause thereof as stated in the certificate. The surgeon, having made a true copy of the letter for the completion of his own records, will forward the original to the Surgeon-General direct.

**157.** When there is a probable case for pension, special care will be taken to state in the certificate the degree of disability, to describe particularly the disability, wound, or disease, the extent to which it deprives the soldier of the use of any limb or faculty, or affects his health, strength, activity, constitution, or capacity to labor.

## ARTICLE XXII.

### DECEASED SOLDIERS.

**158.** When a soldier is killed in action, or dies at any post, hospital, or station, it shall be the duty of his immediate commander to secure his effects and to prepare the inventory required by the 126th Article of War, according to prescribed form. Duplicates of the inventory, with final statements, will be forwarded direct to the Adjutant-General of the Army.

**159.** Should the effects of a deceased soldier not be claimed within 30 days, they will be sold by a council of administration under the authority of the post commander, and the proceeds transferred to the commander of the company to which the deceased belonged, by whom they will be deposited with a paymaster to the credit of the United States. Duplicate receipts will be taken, one of which will be sent direct to the Adjutant-General of the Army and the other retained with the company records.

**160.** In all cases of sale by a council of administration, a detailed statement of the proceeds, duly certified by the council and commanding officer, will accompany the paymaster's receipt forwarded by the company commander to the Adjutant-General of the Army. The statement will be indorsed: "Report of the proceeds of the effects of ———, late of company ———, ——— regiment of ———, who died at ———, the ——— day of ———, ———."

**161.** The effects will be delivered, when called for, to the legal representatives of the deceased, and the receipts therefor forwarded to the Adjutant-General of the Army. Applications for arrears of pay and proceeds of sale of effects of deceased soldiers should be addressed to the Auditor for the War Department, Washington, D. C., who settles such accounts.

**162.** The remains of deceased soldiers will be decently inclosed in coffins and transported by the Quartermaster's Department to the nearest military post or national cemetery for burial, unless the commanding officer deem burial at the place of death to be proper, when a report of the fact will be made to the Adjutant-General of the Army. The expense of transporting the remains is payable from the appropriation for Army transportation; other expenses of burial are limited to \$15 for noncommissioned officers and \$10 for private soldiers.

## ARTICLE XXIII.

## WORKING PARTIES. EXTRA AND SPECIAL DUTY MEN.

**163.** Troops will not be employed in labors that interfere with their military duties except in cases of necessity.

**164.** Enlisted men detailed to perform specific services which remove them temporarily from the ordinary duty roster of the organization to which they belong will be reported on extra duty if receiving increased compensation therefor, otherwise, on special duty. They will not be placed on extra duty except as bakers or to perform the necessary routine services in the Quartermaster's and Subsistence Departments, without the sanction of the department commander, nor will they be employed on extra duty for labor in camp or garrison which can be properly performed by fatigue parties. Allotments of funds for payment of extra-duty men at department headquarters and depots under the control of department commanders will be made only with the approval of the Secretary of War. Duty of a military character must be performed without extra compensation.

**165.** Enlisted men detailed by name on extra duty under competent authority at constant labor for not less than ten days, are entitled to receive extra-duty pay at the following rates: For services as mechanics, artisans, and school teachers, 50 cents per day; as bakers, according to paragraph 306; as overseers, clerks, teamsters, laborers, and for all other extra-duty services, 35 cents per day.

**166.** The detail of a noncommissioned officer on extra duty other than that of overseer will not be made without the approval of the Secretary of War. A noncommissioned officer will not be detailed on any duty inconsistent with his rank and position in the military service.

**167.** Noncommissioned staff officers and enlisted men of the several staff departments will not be detailed on extra duty without authority from the Secretary of War. They are not entitled to extra-duty pay for services rendered in their respective departments.

**168.** Company artificers, farriers, blacksmiths, saddlers, and wagoners will not receive extra-duty pay unless detailed on extra duty in the Quartermaster's Department, wholly disconnected from their companies.

**169.** Soldiers on extra duty will be paid the extra rates of pay allowed by law for the duty performed, and for the exact number of days employed; and no greater number of men will be employed on extra duty at any time than can be paid the full legal rates for the time employed from the funds provided. Payments made in violation of the above rules will be charged against the officers who ordered the details.

**170.** Extra-duty men will attend the weekly and monthly inspections of their companies, and as many daily drills as practicable. Special-duty men, except noncommissioned officers in charge of barracks or stables, the cooks, and such clerks as are necessarily excused by commanding officers, will attend all drills and inspections.

**171.** Extra-duty men will be held to such hours of labor as may be expedient and necessary; but, except in case of urgent public necessity, as in military operations, eight hours will be considered a day's work. For all hours employed beyond that number, the soldier will receive additional com-

pensation—the extra hours being computed as fractions of a day of eight hours' duration.

**172.** Details of enlisted men for extra and special duty will be limited to actual necessities, which will be determined by post commanders in accordance with limits published in orders from the War Department. Allotments to posts of funds for extra-duty pay are made by department commanders from allotments made to departments for the purpose, and must not be exceeded without special authority from department commanders.

#### ARTICLE XXIV.

##### SOLDIERS' HOME.

**173.** An honest and faithful service of twenty years in the Army entitles a soldier to admission to the Soldier's Home, Washington, D. C.

**174.** When a soldier, by reason of long service, or disability contracted in the line of duty, desires to enter the Soldiers' Home, his company commander will so report, through military channels, to the Adjutant-General of the Army, giving all the details necessary for a full understanding of the case, including the date of each enlistment, with company and regiment. If the soldier be physically disabled, the report will be accompanied by certificates of disability. The papers will be referred to the Board of Commissioners of the Home, and if, in its opinion, the soldier is entitled to become an inmate, the necessary authority will be given for his discharge at the place where he is serving. He may then proceed to Washington and report to the Board of Commissioners for admission to the Home.

**175.** Transportation to the Home will not be furnished except by authority of the Secretary of War, on the application of the Board of Commissioners; and in such cases the officers who pay the accounts will be guided by the regulations governing the payment of accounts for transportation of persons procuring artificial limbs, as prescribed in paragraphs 1467 to 1471, inclusive, except that the account will be referred to the Treasurer of the Soldiers' Home for payment.

**176.** Commanding officers will not order the issue of clothing or subsistence to be repaid from the funds of the Home.

#### ARTICLE XXV.

##### MEDALS OF HONOR AND CERTIFICATES OF MERIT.

**177.** Medals of honor will be awarded by the President to officers and enlisted men who most distinguish themselves in action.

**178.** When any enlisted man of the Army shall have distinguished himself in the service, the President may grant him a certificate of merit, on the recommendation of the commanding officer of the regiment or chief of the corps to which such man belongs.

**179.** Recommendations for a certificate of merit must originate with an eyewitness, preferably the immediate commanding officer. Each case will be submitted separately, forwarded through the regular channels, and must be favorably indorsed by each commander.

**180.** Extra pay at the rate of \$2 per month from the date of the distinguished service is allowed to each enlisted man to whom a certificate of merit is granted.

**181.** If the soldier be discharged before the certificate is issued, it will be retained in the Adjutant-General's Office until called for, when proof of the identity of the applicant will be required. Should he die before receiving his certificate, it will be deposited in the office of the Auditor for the War Department for the benefit of his heirs.

## ARTICLE XXVI.

### VETERINARY SURGEONS.

**182.** Veterinary surgeons are appointed by the Secretary of War, on the applications of regimental commanders, supported by requisite proofs of capacity and fitness.

**183.** A veterinary surgeon has the rank of sergeant-major, and is entitled to the same allowances in kind, of quarters, fuel and lights.

**184.** It shall be the duty of the veterinary surgeon to visit at least daily, all sick or injured animals at his station, and to recommend such treatment as he may deem proper. He will have access to the stables at all times. Upon request he will attend such authorized private horses of mounted officers as may need his services.

**185.** The veterinary surgeon will instruct company farriers in the proper care of the horse. In this he will give especial importance to the anatomy and pathology of the foot, showing the nature and uses of all its parts, illustrating the subject by dissections and specimens. He will also teach the principles and practice of horseshoeing. For the purpose indicated he will make such visits of instruction to companies of the regiment not at his station as may be deemed necessary by the regimental commander.

**186.** Wherever four or more troops of cavalry are stationed, a suitable building may be set apart as a veterinary hospital.

## ARTICLE XXVII.

### THE COMMANDING GENERAL OF THE ARMY.

**187.** The military establishment is under the orders of the Commanding General of the Army in that which pertains to its discipline and military control. The fiscal affairs of the Army are conducted by the Secretary of War, through the several staff departments.

**188.** All orders and instructions from the President or Secretary of War, relating to military operations or affecting the military control and discipline of the Army, will be promulgated through the Commanding General.

## ARTICLE XXVIII.

### TERRITORIAL DEPARTMENTS.

**189.** Territorial departments are established and their commanders assigned by direction of the President. In time of peace, army corps, divisions, or brigades will not be formed except for purposes of instruction.

**190.** The commander of a department commands all the military forces of the Government within its limits, whether of the line or staff, which are not specially excepted from his control by the War Department. The Infantry and Cavalry School at Fort Leavenworth, Kans., and the Cavalry

and Light Artillery School at Fort Riley, Kans., in matters pertaining to the courses of instruction; the Military Academy; the Artillery School; the engineer establishment at Willets Point; the arsenals; the general depots of supply; the general service recruiting stations; such permanent fortifications as may be in process of construction or repair, and officers employed on special duty under the Secretary of War, are exempted from the supervision of department commanders. But when an emergency demands it, all military men and material within the limits of their jurisdiction come under their control.

**191.** Purchasing commissaries, officers on duty at general depots of supply, and others indicated in the preceding paragraph, whether reporting by letter to department commanders or not, are subject to their orders for court-martial or other duty in an emergency only; and officers on duty with the commands at Fort Leavenworth, Fort Monroe, and Fort Riley will not be detached without the orders of the Secretary of War or the Commanding General of the Army.

**192.** A department commander is charged with the administration of all the military affairs of his department, and the execution of all orders from higher authority. He will report to the Commanding General of the Army all matters relating to the general welfare of his command, including such change of station of troops as he may deem desirable, but will obtain the approval of the Commanding General of the Army before ordering the movement. If it be necessary to move troops to meet emergencies, such movements, and all the circumstances will be reported at the earliest possible moment.

**193.** Each department commander will inspect the troops under his command at least once each year, and for this purpose he may be accompanied by one officer of his personal or the department staff. He will assure himself by personal examination and observation that all officers and men under his control are efficient in the performance of duty, that the troops are thoroughly drilled and instructed in their field duties and tactical exercises, that supplies are properly distributed, that proper care is exercised in the purchase and preservation of public property, and that strict economy is exercised in all public expenditures. In his annual report the results of these inspections will be summarized. From time to time he will report, for the information of the Commanding General of the Army and the Secretary of War, the names of any and all officers belonging to his command who are believed to be incompetent or permanently unable, from any cause, to perform all the duties of their several grades, both in garrison and in active service; he will also report any errors, irregularities, or abuses requiring the action of higher authority.

**194.** Department commanders are expected to determine controversies arising within the limits of their jurisdiction and decide questions referred to them on appeal.

**195.** Although a department commander may continue to discharge the more important functions of his command while beyond its territorial limits, his absence therefrom requires the sanction of the Secretary of War, and if intending to leave his headquarters for an absence within his department, he will report to the Adjutant-General of the Army his intention, the duration of, and his address during, his proposed absence.

**196.** The personal staff of a department commander will consist of the authorized aids. The department staff will be limited to the officers detailed by the Secretary of War from appropriate staff departments or corps, or of officers of the line detailed by the same authority to act in their stead, and their official designations will be as follows: Adjutant-general, chief quartermaster, chief commissary, chief surgeon, chief paymaster, judge-advocate, and artillery inspector, the last appointed as prescribed in paragraph 350; also, when necessary, an engineer officer, an ordnance officer, and a signal officer, each detailed from his corps; but when any of these officers are not assigned, or when any department staff officer is temporarily absent or disabled, the duties of his position will be performed by other members of the department or personal staff. The chief quartermaster and chief commissary will each have charge of the depot of his department, at the place where headquarters are located, and will, when practicable, make purchases. The chief surgeon will, when practicable, perform the duty of attending surgeon. The chief paymaster will make a proportion of the payments in the command. The duties prescribed in Small Arms Firing Regulations for the inspector of small-arms practice will be performed by an aid or by the adjutant-general.

**197.** Funds for contingent expenses at department headquarters are allotted by the Secretary of War and placed to the credit of the adjutants-general. The amount allotted will be apportioned by the department commander to the officers of the staff corps serving at his headquarters as the interests of the service dictate, and the adjutant-general will make purchases and expenditures as those officers request, subject to the written approval of the department commander. Property so purchased will be taken up on the return of the adjutant-general and transferred to the staff officers concerned, who will give duplicate receipts therefor, and it will then be dropped from the return of the adjutant-general, who will file one set of receipts as retained vouchers and send the other to the respective chiefs of bureaus in which the staff officers are serving. On June 30 of each year all officers who have purchased or receipted for such property will make return therefor to the chiefs of their respective bureaus, to whose satisfaction expenditures, losses, etc., will be explained. An officer accountable for such property will take duplicate receipts therefor when relieved, and will forward one of them to the proper chief of bureau with the return which he will then render, and file the other with his retained papers.

## ARTICLE XXIX.

### MILITARY POSTS AND RESERVATIONS.

#### POSTS.

**198.** Permanent military posts are established under the direction of the Secretary of War, by whom their names will be designated.

**199.** Permanent posts will be styled "Forts," and points occupied temporarily by troops, "Camps."

**200.** The commander of a post is responsible for its safety and defense, and for the discipline, drill, and tactical instruction of his command, to which ends all other garrison duties will be made subservient. He will be responsible for the preservation and proper application of public property, for the strict enforcement of laws and regulations, and for the proper con-

dition of quarters and defenses. He will make an inspection of his command on the last day of every month, will satisfy himself by frequent personal examination that the disbursements of all officers in charge of funds are in accordance with law and regulations and their accounts correctly stated, and will make such reports of these inspections and examinations as the department commander may direct.

**201.** The post commander and surgeon will make frequent visits during the month to the hospital, guard-house, mess hall, and other buildings and rooms used by enlisted men.

**202.** An orderly observance of the Sabbath by the officers and men in the military service is enjoined. Military duty and labor on Sunday will be reduced to the measure of strict necessity.

**203.** The staff of a post commander will consist of such staff officers as are on duty at the post, and such line officers as may be required for staff duties. Their official designations will be as follows: Adjutant, quartermaster, commissary, surgeon, assistant surgeon, engineer officer, ordnance officer, and signal officer.

**204.** Expenditures of labor, money, or material upon posts will be strictly limited to the amounts allowed by law and regulations.

**205.** When practicable, temporary buildings for the use of the Army will be erected by its enlisted force, and necessary repairs of public buildings at garrisoned posts not appropriated for or specially authorized will be made by the troops.

**206.** In case of emergency when reference to higher authority is impracticable, department commanders may order the purchase of material and engagement of services necessary for the preservation of public buildings or property, not to exceed in amount \$500 for any post, but no greater sum will be expended without the sanction of the Secretary of War.

**207.** Post commanders are authorized to assist mail contractors with Government transportation, provided it can be spared without detriment to the service, when, through accident or unavoidable casualty, they are deprived of the means necessary to fulfill their contracts. Such assistance must cease as soon as the contractor can, by exercise of proper diligence, resupply himself with transportation. Receipts for the property loaned will be taken, which in the event of its loss or damage will be forwarded, with a report of facts, to the Adjutant-General of the Army, that the amount involved may be collected from the contractor through the Post-Office Department.

**208.** At posts supplied with ordnance and with ammunition for the purpose, a morning and evening gun will be fired daily at reveille and retreat.

#### *Post Records.*

**209.** The following books of record will be kept at each post: An order book, a letters-received book, an index book for letters received, a letters-sent book, an index book for letters sent, a post council of administration book, furnished by the Quartermaster's Department; a morning report book, and a guard report book, furnished by the Adjutant-General of the Army; a post exchange council book, provided by the post exchange. All copies of all returns and reports rendered, if not contained in the book of orders received, letters sent, all letters received which are not required to

be returned; in fine, all official papers which relate to post administration, and which are required to be kept at the post, will be filed and preserved as a part of the post records. The records will not be removed from the post except on its discontinuance. Commanding officers will see that the records are accurately kept and are properly transferred to their successors.

#### RESERVATIONS.

**210.** Department commanders will supervise all military reservations within the limits of their commands, and if necessary, will use force to remove trespassers. No license or permission to any civilian to use or occupy any part of a reservation will be given, except by the Secretary or War, unless he be in the employ of the Government, or in the family or service of persons there employed.

**211.** Military posts temporarily evacuated by troops, and lands reserved for military use, will be under charge of the Quartermaster's Department. Permanent works of defense, however, and the lands appurtenant thereto, are under the supervision of the Engineer Department.

### ARTICLE XXX.

#### FLAGS, COLORS, STANDARDS, AND GUIDONS.

##### FLAGS.

**212.** The flag of the United States has thirteen horizontal stripes, seven red and six white, the red and white stripes alternating, and the union of the flag consists of white stars in a blue field placed in the upper quarter next the staff, and extending to the lower edge of the fourth red stripe from the top. The number of stars is the same as the number of States in the Union. On the admission of a State into the Union, one star will be added to the union of the flag, and such addition will take effect on the 4th day of July next succeeding such admission.

**213.** The garrison, post, and storm flags are national flags, and will be of bunting. The union of each is as described in the preceding paragraph and one-third the length of the flag.

The garrison flag will have 36 feet fly and 20 feet hoist; it will be furnished only to posts designated from Headquarters of the Army, and will be hoisted only on holidays and important occasions.

The post flag will have 20 feet fly and 10 feet hoist; it will be furnished for all garrisoned posts and will be hoisted in pleasant weather.

The storm flag will have 8 feet fly and 4 feet 2 inches hoist; it will be furnished for all occupied posts and national cemeteries, and will be hoisted in stormy or windy weather; it will also be used as a recruiting flag.

**214.** Hospital and ambulance flags: For general hospitals, white bunting, 9 by 5 feet, with a red cross of bunting 4 feet high and 4 feet wide in the center; arms of cross to be 16 inches wide.

For field hospitals, white bunting, 6 by 4 feet, with a red cross of bunting 3 feet high and 3 feet wide in the center; arms of cross to be 12 inches wide.

For ambulances and guidons to mark the way to field hospitals, white bunting, 28 by 16 inches, with a red cross of bunting 12 inches high and 12 inches wide in the center; arms of cross to be 4 inches wide.



## COLORS.

*Battalion of Engineers.*

**215.** The national color of stars and stripes, as described for flags, will be made of silk, 5 feet 6 inches fly, 4 feet 4 inches on the pike, which will be 9 feet long, including spearhead and ferrule. The union to be 2 feet 6 inches long, and "U. S. Engineers" embroidered in silver on the center stripe, stars embroidered in white silk, yellow silk knotted fringe, cord and tassels red and white silk. The battalion color will be of scarlet silk, same dimensions, having in the center a castle, with "U.S." above and "Engineers" below in silver, fringe white, cord and tassels red and white silk.

*Artillery Regiments.*

**216.** The national color will be of material and dimensions and with union, stars, and pike as prescribed in paragraph 215, having the number and name of regiment embroidered in yellow silk on the center stripe, fringe yellow, cord and tassels red and yellow. The regimental color will be of scarlet silk, same dimensions, bearing in the center two cannon crossed, with "U.S." above and number and name of regiment below, each in a scroll, the scrolls yellow, letters scarlet, fringe yellow, cord and tassels red and yellow.

*Infantry Regiments.*

**217.** The national color will be of material and dimensions and with union, stars, and pike as prescribed in paragraph 215, having the number and name of the regiment embroidered in white silk on the center stripe, fringe yellow, cord and tassels blue and white. The regimental color will be of blue silk, same dimensions, the coat of arms of the United States embroidered in silk on the center, beneath the eagle a red scroll, with number and name of regiment embroidered in white, fringe yellow cord and tassels blue and white.

## STANDARDS FOR CAVALRY REGIMENTS.

**218.** The national standard of stars and stripes, as described for flags, will be made of silk, 4 feet fly and 3 feet on the lance, which will be 9 feet 6 inches long, including spear and ferrule. The union to be 22 inches long, and the number and name of regiment embroidered in yellow silk on the center stripe, fringe yellow. The regimental standard will be of yellow silk, same dimensions, the coat of arms of the United States embroidered in silk on the center, beneath the eagle a red scroll, with number and name of regiment embroidered in yellow, fringe yellow.

## COLORS AND STANDARDS.

**219.** The silken national color or standard will be carried in battle, campaign and on all occasions of ceremony at regimental headquarters in which two or more companies of the regiment participate. The regimental color or standard will be carried in like cases in battle, campaign and at reviews and inspections; at ceremonies other than reviews, inspections and escort of the color, it will be carried only when so ordered by the regimental commander. A similar rule applies to the use of the colors of the Battalion of Engineers. When not in use as prescribed in this paragraph, colors and standards will be kept in their waterproof cases.

## SERVICE COLORS AND STANDARDS.

**220.** A national color made of bunting or other suitable material, but in all other respects similar to the silken national color, will be furnished to the Battalion of Engineers and to each regiment of artillery and infantry, for use at drills and on marches and all service other than battles, campaigns, and occasions of ceremony. A similar color of the same dimensions as the silken standard will be furnished for like purposes to each regiment of cavalry.

## GUIDONS FOR CAVALRY.

**221.** Each troop of cavalry will have a silken guidon, cut swallow-tailed, 15 inches to the fork, 3 feet 5 inches fly from lance to end of swallowtail, and 2 feet 3 inches on the lance, having two horizontal stripes each one-half the width of the flag, the upper red and the lower white, the red stripe having on both sides in the center the number of the regiment in white silk, and the white stripe the letter of the troop in red silk, the letter and number block-shaped,  $4\frac{1}{2}$  inches high, the lance  $1\frac{1}{4}$  inches in diameter and 9 feet long, including spear and ferrule. Each troop will also have a service guidon made of bunting or other suitable material, in shape and design the same as the silken guidon: the latter will be used only in battle, campaign, or on occasions of ceremony.

## GUIDONS FOR LIGHT ARTILLERY.

**222.** Each battery of light artillery will have a guidon of scarlet silk, dimensions and shape same as described for cavalry guidons, in the center on both sides of the guidon two cannon crossed, about  $14\frac{1}{2}$  inches in length, with number of regiment above and letter of battery below the crossed cannon, letter and number of yellow silk, letter and number block-shaped,  $4\frac{1}{2}$  inches high, lance same as for cavalry guidon. This silken guidon will be used only in battle, campaign, or on occasions of ceremony. Each battery will also have a service guidon of bunting or other suitable material, in shape and design the same as the silken guidon.

**223.** Whenever, in the opinion of a commanding officer, the condition of any silken color, standard, or guidon in the possession of his command has become unserviceable, a board of survey will be appointed to report for the information of the Secretary of War its condition and as to the necessity of supplying a new one. If requiring repair, application to have it placed in a serviceable condition should be made to the Quartermaster-General. Service colors and guidons will be submitted to the action of an inspector when unfit for further use. Upon receipt of new silken colors, standards, or guidons, commanding officers will cause those replaced to be suitably labeled and sent to the Adjutant-General of the Army for preservation.

**224.** The names of the battles in which one or more companies of a regiment or of the Battalion of Engineers have borne a meritorious part may be engraved upon silver rings, fastened on the pikes or lances of the colors or standards, and in cases where less than half the number of companies of the regiment or battalion were engaged, the company letters will follow the name of the battle. The names of battles in which light batteries or troops of cavalry have, when detached, been engaged separately, may be inscribed upon rings on the lances of their guidons. The lance of the service guidon

will not be thus marked. The fact that an action in which any organization has been engaged is entitled to be called a battle, and the name to be engraved on the rings, will be announced from the Adjutant-General's Office. Requisitions for new colors and guidons will be accompanied by lists of battles.

## CAMP COLORS.

**225.** To be as described for flags, printed upon bunting, 18 by 20 inches, on a pole of ash 8 feet long and  $1\frac{1}{2}$  inches in diameter, the butt end armed with a pointed ferrule.

## ARTICLE XXXI.

## REGIMENTS.

## ORGANIZATION AND INSTRUCTION.

**226.** The regiment is the administrative unit; for purposes of discipline and instruction, it will be divided into battalions, each containing two or more companies. The command of a regiment devolves upon the senior officer on duty with it, wherever he may be stationed. Each battalion is commanded by the senior officer on duty therewith. Whenever portions of different regiments are serving together, the commanding officer may designate the battalions.

**227.** The designation "company," as used in these regulations, applies to troops of cavalry, batteries of artillery, light or foot, and companies of infantry.

**228.** Upon the organization of a regiment, its companies receive permanent designation by letters in alphabetical order, and officers are assigned to them in order as lettered, according to rank. Subsequently officers, upon promotion or appointment, are assigned to fill vacancies regardless of relative rank.

**229.** A regimental commander should continually labor for the instruction and efficiency of his regiment. He should encourage among his officers harmonious relations and a friendly spirit of emulation in the performance of duty. His timely interference to prevent disputes, his advice to the inexperienced, and immediate censure of any conduct liable to produce dissension in the regiment or to reflect discredit upon it, are of great importance in securing and maintaining its efficiency. In such efforts he will receive the loyal support of his subordinates. He will make an inspection of his immediate command on the last day of every month.

**230.** Each department commander will announce in orders annually the period of the year to be given to practical instruction in drill and other military exercises, prescribing their character and the time to be devoted thereto. He will also designate a period of four consecutive months in each year for theoretical instruction, imparted in lyceums or by lectures, recitations, or other methods, to be given twice each week during the period designated. Each regimental commander will supervise the instruction of the officers under his immediate command, and each post commander that of regimental officers of his command who are absent from the headquarters of their respective regiments. Each company commander is responsible for the practical and theoretical instruction of his noncommissioned officers. These duties will be so performed as not to interfere with proper rest and recreation.

**231.** Upon the last day of September and March of each year, commanding officers of companies will forward to their regimental commanders reports showing the character and scope of instruction imparted during the previous six months, the number and kind of drills, and number of recitations with average attendance thereon. Regimental commanders will forward abstracts of these reports through military channels to the Adjutant-General of the Army for the information of the Commanding General.

**232.** Regimental field officers are assigned by department commanders to the posts or stations where their services are most required, provided troops of their own regiments are stationed there. Lieutenant-colonels and majors on duty at posts are assigned to battalions by post commanders.

#### THE REGIMENTAL STAFF.

**233.** The staff of a regiment consists of the adjutant and quartermaster and they will be so designated. They will be appointed by the regimental commander, who will at once report his action to the Adjutant-General by telegraph; the appointment of the quartermaster is made subject to the approval of the Secretary of War. Each appointment will take effect the day on which it is made, and the officer appointed will be entitled to the pay pertaining thereto from the date when he assumes the duties under such appointment.

**234.** The adjutant or quartermaster may hold office for four years, including all periods of such service, and no longer. He will not be eligible for a second tour of such duty nor for appointment or reappointment to either position, except to serve an unexpired term of four years.

**235.** A regimental commander is restricted in his choice of staff officers to the lieutenants on duty with the regiment and who are not at a school of instruction nor with light batteries. Should he desire to appoint a lieutenant absent from the regiment, the lieutenant must join before the appointment can be made.

**236.** The adjutant, under the direction of the regimental commander, will have charge of the various rosters of service; he will make, publish, and verify all details, keep the records of the regiment, and perform such military duties with troops as are required by regulations. Through him the regimental commander communicates with the officers and men of his command.

**237.** The adjutant should be courteous to, and on friendly terms with, the officers of the command he represents, and will avoid all discussions of the orders or military conduct of his superiors. He should inform himself upon all points of military usage and etiquette, and, on proper occasions, aid with his advice and experience the subalterns of the regiment, especially those just entering the service. He will endeavor at all times to exert the influence belonging to his station in sustaining the reputation, discipline, and harmony of the regiment.

**238.** The adjutant and quartermaster are, under the regimental commander, responsible for the discipline and efficiency of the noncommissioned staff and band.

**239.** The quartermaster is responsible for all quartermaster's supplies of the regiment, and may be required to perform the duties of quartermaster and commissary of the post where he is stationed.

**240.** An officer of the regimental staff may be assigned to duty with a company, or to any staff duty which his regimental commander may impose.

**241.** The regimental commander appoints the noncommissioned staff, which consists of the sergeant-major and quartermaster-sergeant; also the regimental noncommissioned officers, consisting of the chief musician, and principal musicians or chief trumpeter and saddler-sergeant, according to arm, each of whom will be furnished with a warrant (his personal property), signed by the regimental commander and countersigned by the adjutant. The appointment takes effect the day on which it is made, and the warrant may be continued in force upon discharge and re-enlistment, if re-enlistment is made on the day following discharge, every such re-enlistment to be noted on the warrant by the regimental commander. Regimental noncommissioned staff officers and regimental noncommissioned officers may be reduced to the ranks by sentence of a court-martial or by order of the regimental commander.

**242.** The public property pertaining to the headquarters of the regiment will be marked "H. Q.," with arm and number of regiment; the equipments in possession of the noncommissioned staff, regimental noncommissioned officers and band will be marked "N. C. S.," "N. C.," and "Band," respectively, and with the arm and number of the regiment and of the man to whom the articles are issued.

#### REGIMENTAL RECORDS.

**243.** Regimental records will consist of an order book, a letters-received book, an index book for letters received, a letters-sent book, an index book for letters sent, and a regimental fund book, furnished by the Quartermaster's Department; a descriptive book, furnished by the Adjutant-General of the Army; all orders, circulars, and instructions from higher authority, copies of the monthly returns, muster rolls of the field, staff, and band, other regimental returns and reports, and all correspondence concerning the regiment or affecting its personnel.

**244.** All orders and circulars from the Headquarters of the Army, or of the corps, division, brigade, or territorial department in which the regiment may be serving, will be filed in book form and indexed as soon as received.

#### REGIMENTAL BANDS.

**245.** Each regimental band will consist of one sergeant and twenty privates, in addition to the chief musician, and principal musicians or chief trumpeter. The regimental commander will designate the company from which the sergeant is to be taken and the number of men of each company to serve with the band. Vacancies thus caused will not be filled. The number of men in and attached to the band will not exceed twenty-four.

**246.** Band musicians will be dropped from company muster rolls, but will be instructed as soldiers, and are liable to serve in the ranks on any occasion. They will be mustered with the regimental noncommissioned staff and be included in the aggregate on all regimental returns.

**247.** When a regiment occupies several stations the band will be kept at the headquarters, provided one or more companies be serving there. The field musicians of companies will not be separated therefrom.

**248.** Musical instruments, mentioned in paragraph 1201, extra parts therefor, and equipments for bands, will be furnished by the Quartermaster's Department. Musical instruments other than those above referred to may be purchased from available regimental funds. The quartermaster will be accountable for band instruments furnished by the Quartermaster's Department; the adjutant for those purchased from the regimental fund.

**249.** Regimental commanders will notify the Adjutant-General of the Army direct when field or band musicians are required.

**250.** Commanding officers will require bands to play national and patriotic airs on appropriate occasions.

## ARTICLE XXXII.

### TROOPS, BATTERIES AND COMPANIES.

#### OFFICERS AND NONCOMMISSIONED OFFICERS.

**251.** Captains, although eligible for appointment as aids, and liable to the temporary details of service, will not, except for urgent reasons, be detached from their companies.

**252.** The commanding officer of a company is responsible for its appearance, discipline, and efficiency; for the care and preservation of its equipment; for the proper performance of duties connected with its subsistence, pay, clothing, accounts, reports, and returns.

**253.** In the absence of its captain, the command of a company devolves upon the subaltern next in rank who is serving with it, unless otherwise specially directed.

**254.** In the absence of all the officers of a company, the post commander will assign an officer, preferably of the same regiment, to its command. If there be no officer available, the fact will be reported to the department commander.

**255.** Captains will require their lieutenants to assist in the performance of all company duties, including the keeping of records and the preparation of the necessary reports and returns.

**256.** Noncommissioned officers will be carefully selected and instructed, and always supported by company commanders in the proper performance of their duties. They will not be detailed for any duty nor permitted to engage in any occupation inconsistent with their rank and position. Officers will be cautious in reproving them in the presence or hearing of private soldiers.

**257.** Sergeants and corporals are appointed by regimental commanders, on the recommendation of their company commanders. To test the capacity of privates for the duties of noncommissioned officers, company commanders may appoint lance corporals, who will hold such appointments not to exceed three months, and will be obeyed and respected as corporals. The appointments, with the approval of the regimental or post commander, may be renewed for three months; but no company shall have more than one lance corporal at a time. Lance corporals holding renewed appointments are on the same footing regarding reduction as corporals. A lance corporal holding a first appointment will wear the uniform of a private, with a chevron having one bar of lace or braid; if holding a renewed appointment he will

wear the uniform of a corporal, except that the chevron will have but one bar of lace or braid.

**258.** The captain will select the first sergeant from the sergeants of his company, and may return him to the grade of sergeant without reference to higher authority.

**259.** Every noncommissioned officer will be furnished with a certificate or warrant of his rank, signed by the colonel and countersigned by the adjutant; but a separate warrant as first sergeant will not be given. A warrant issued to a noncommissioned officer is his personal property. Warrants need not be renewed in cases of re-enlistment in the same company, if re-enlistment is made the day following the day of discharge, but, upon request, may remain in force until vacated by promotion or reduction, each re-enlistment to be noted on the warrant by the company commander.

**260.** Appointments of sergeants and corporals will take effect on the day of appointment by the regimental commander, and of first sergeants, artificers, blacksmiths, farriers, saddlers, and wagoners on the day of appointment by the company commander; but in case of vacancy in a company in the field and absent from regimental headquarters, a company commander may make a temporary appointment of a sergeant or corporal, which, if approved by the regimental commander, will carry rank and pay from the date of such appointment.

**261.** A noncommissioned officer may be reduced to the ranks by sentence of a court-martial, or by the order of the regimental commander on the recommendation of the company commander. If reduced to the ranks by sentence of court-martial at a post not the headquarters of his regiment, the company commander will forward a transcript of the order to the regimental commander. The desertion of a noncommissioned officer vacates his position on the date of desertion.

**262.** Artificers are mechanics whose services are necessary for the public interest.

**263.** A soldier may, when necessary, be relieved from ordinary military duty to make, repair, or alter uniforms. The post council will fix the rates to be charged, which will not exceed the cost of doing such work at the clothing depot, and company commanders will cause to be deducted from the pay of enlisted men and turned over to the proper party the amount properly due therefor.

#### COMPANY BOOKS AND RECORDS.

**264.** The company records will consist of: A company order book, a book of letters received, an index of letters received, a book of letters sent, an index of letters sent, a company council book, supplied by the Quartermaster's Department; a sick report book, a company clothing book, a morning report book, a descriptive and deposit book, and a duty roster, supplied by the Adjutant-General; also for a company of cavalry or light artillery, a descriptive book of public animals, furnished by the Quartermaster's Department. A record of vaccinations will be entered in the descriptive and deposit book. The records will also contain orders and instructions received from higher authority, retained copies of the various rolls, reports, and returns required by regulations and existing orders, and all letters and correspondence affecting the personnel of the company. Copies of orders

entered by first sergeants in company order books will be attested by the adjutant.

**265.** The records of each company or detachment will contain full information respecting all quartermaster's supplies, showing list of articles, date of receipt, from whom received, and name of officer who signed memorandum receipt therefor; also an account of all articles turned in, expended, stolen, lost, or destroyed; and the company or detachment commander will quarterly and when relinquishing his command have a settlement with the quartermaster.

#### INTERIOR ECONOMY OF COMPANIES.

**266.** Company, band, and detachment commanders will make a complete inspection of their organizations under arms every Saturday. They will also make a daily inspection of the men's quarters and kitchens, giving particular attention to cleanliness and the proper preparation of food, and noting whether all lamps in use have been cleaned, filled, and made ready for lighting, before dark. No one will be excused from Saturday inspection except the guard and the sick in hospital. Cavalry and field artillery will habitually be inspected mounted.

**267.** The company commander will cause the enlisted men of the company to be numbered and divided into four squads, each under the charge of a noncommissioned officer. As far as practicable the men of each squad will be quartered together.

**268.** In quarters the name of each soldier will be attached to his bunk, arms will be kept in racks, bayonets in their scabbards. Accoutrements and sabers will be hung up by the belts.

**269.** Strict attention will be paid by company commanders to the cleanliness of the men and to the police of barracks or tents. The men will be required to bathe frequently. The hair will be kept short and the beard neatly trimmed. Soiled clothing will be kept in the barrack bag.

**270.** A thorough police of barracks will precede the Saturday inspection. The chiefs of squads will see that bunks and bedding are overhauled, floors, tables, and benches scoured, arms and accoutrements cleaned, and all articles of black leather polished.

**271.** Chiefs of squads will be held responsible for the cleanliness of their men. They will see that those who are to go on duty put their arms, accoutrements and clothing in the best order, and that such as have passes leave the post in proper dress.

**272.** Soldiers will wear uniform in camp or garrison, and will not be permitted to keep other clothing in their possession. When on fatigue they will wear suitable fatigue dress.

**273.** The articles borne upon the annual price list of clothing, published in orders, will be considered the uniform, and no deviation therefrom will be allowed.

**274.** Company commanders will see that all public property in the possession of enlisted men is kept in good order, and that missing or damaged articles are duly accounted for.

**275.** Company commanders are responsible for text-books issued for the use of their companies.



**276.** Enlisted men will not take their arms apart except by permission of a commissioned officer. The mutilation of any part by filing or otherwise, and attempts to beautify or change the finish, are prohibited. Pieces will be unloaded before being taken to quarters or tents and as soon as the men using them are relieved from duty unless otherwise ordered. The use of tompons in small arms is forbidden.

**277.** The use of any dressing or polishing material on leather accoutrements, equipments, or harness, except the preparations supplied by the Ordnance Department for that purpose, is forbidden.

**278.** Equipments will be fitted to the men under the direction of an officer; all other changes are prohibited.

**279.** Articles of public property issued to a company for its exclusive use will, when practicable, be marked with the letter of the company and number and arm of the regiment. Such articles issued to an enlisted man (arms and clothing excepted) will, as far as practicable, be marked with the number of the man, letter of the company, and number of the regiment. Haversacks and blanket bags will be uniformly marked on the outside as follows: Cavalry, crossed sabers; artillery, crossed cannons; infantry, crossed rifles; with letter of company above and number of regiment below the intersection; the special corps of the Army according to their respective devices. The design will be stenciled in black, the device five inches long, and letters and numbers in full-faced characters one inch high. The design will be placed above letters "U. S." on equipments, and the number of the soldier, in characters one inch high, will be placed at the bottom, near the lower edge of the blanket bag. The canteen will be marked with the letter of the company, number of the regiment, and number of the man.

#### MESSING AND COOKING.

**280.** In camp or barracks, where companies are not joined in a general mess, a company commander will supervise the cooking and messing of his men. He will see that his company is provided with at least two copies of the Manual for Army Cooks, and that suitable men in sufficient numbers are fully instructed in managing and cooking the ration in the field; also that necessary utensils in serviceable condition are always on hand, together with the field mess furniture for each man. At a post where all the companies are joined in a general mess, the post commander will see that the instruction above mentioned is given. At such a post a company commander will confine his supervision of the mess of his company to observation and to notifying the officer in charge in writing of anything requiring remedy. Should this officer fail to apply proper remedy, report may then be made to the post commander. A department commander will see that each company of his command has the necessary field practice each year.

**281.** Kitchens will be placed under the immediate charge of noncommissioned officers, who will be held responsible for their condition and for the proper use of rations. No one will be allowed to visit or remain in the kitchen except those who go there on duty, or are employed therein. The greatest care will be observed in cleaning and scouring cooking utensils.

**282.** Special regulations for soldiers' fare can not be made to suit each locality and circumstance. Personal care and judgment on the part of company officers are relied on to prevent waste or misuse. By due economy

some part of the ration can be saved and sold, and the proceeds applied to provide additional articles of diet.

**283.** The Manual for Army Cooks contains comprehensive instructions in cooking, which will be observed as far as practicable.

**284.** The food of prisoners will be sent to their places of confinement when practicable, but post commanders may arrange to send prisoners, under proper guard, to their messes.

**285.** Kitchen and table ware and mess furniture will be supplied by the Quartermaster's Department. Allowances will be announced in orders. Post commanders will enforce rigid economy in regard to such property. Articles broken, lost or damaged will be charged to individuals at fault. Such proportions of company allowances of fuel, illuminating supplies, brooms, and scrubbing brushes as may be necessary for the service of a general mess will be allotted by the post commander.

**286.** In the field the mess furniture of a soldier will be limited to one tin cup, knife, fork and spoon, and such device for individual cooking as may be furnished by the Ordnance Department.

### ARTICLE XXXIII.

#### COUNCILS OF ADMINISTRATION.

**287.** Post, post exchange, company, and mess councils of administration are assembled to audit the bakery, exchange, company, and mess funds, respectively, to ascertain and examine the sources from which, and methods by which, they have accrued, and to recommend expenditures therefrom. Post councils are also called to deliberate upon and recommend action, within the limits allowed by regulations, upon such subjects affecting the welfare and economy of the post as commanding officers may submit to them.

**288.** On the last day of each quarter, and when necessary, the post, post exchange, and general mess councils will be convened by the post commander, and the company council by the company commander. The mess and exchange councils will also meet at the call of their presidents. The post council will consist of the three officers on duty at the post next in rank to the commander, or of as many as are available, if less than three. If only the commanding officer be present, he will act. The post exchange council will consist of three officers, viz, the officer in charge of the exchange and two company commanders detailed by roster, or when this is impracticable, the exchange council will be constituted as prescribed for the post council. The company council will consist of all officers present for duty with the company, and the mess council of the commanders of the several companies participating in the general mess.

**289.** The junior member of each council will record its proceedings in the appropriate book, and they will be signed by the president and recorder. Those of the post, exchange, and mess councils will be submitted to the post commander, who will sign his approval or objection in the council book. Should the post commander disapprove the proceedings, and the council, after reconsideration, adhere to its conclusions, a copy of the proceedings will be sent by the commanding officer to the department commander, whose decision thereon upon all questions not involving pecuniary responsibility will be final. Upon such questions appeal may be taken to the

Secretary of War. The final orders in each case will be entered in the council book. In the proceedings of company councils the post commander will decide disagreements.

**290.** The post council will fix laundry charges, prices charged by tradesmen for making and repairing uniforms of enlisted men, and when directed will submit regulations for the post school.

**291.** The commanding officer who approves the appropriations of a council, and in the matter of the company fund the company commander, will be held responsible for all expenditures not made in accordance with regulations.

**292.** In case of loss of regimental, bakery, exchange, company, or mess funds, the circumstances will be carefully investigated and reported by the post council, with recommendation as to responsibility, for the decision of the department commander. In case of appeal from his action the papers will be forwarded to the Adjutant-General of the Army for the decision of the War Department.

#### ARTICLE XXXIV.

##### REGIMENTAL, BAKERY, COMPANY AND MESS FUNDS.

###### GENERAL PROVISIONS.

**293.** The purchase from regimental, bakery, company, or mess funds, of any article which can be obtained on requisition from a supply department is forbidden.

**294.** No projects by which money will accrue will be entered upon under color of military control without specific authority from the War Department.

###### REGIMENTAL FUND.

**295.** This fund consists of the gross amounts received on account of the band from post exchange profits, voluntary contributions, amounts retained for regimental use from proceeds of private engagements of the band and from sale of articles purchased. The adjutant will be the treasurer of the fund, and will disburse it under the direction of the regimental commander. A record of all receipts and expenditures and a complete list of property purchased will be kept in the regimental fund book.

###### BAKERY FUND.

**296.** The usual ration of bread is 18 ounces, but the weight of it may be increased within the limits of the flour ration, at the discretion of the commanding officer, upon the recommendation of the post council of administration. Such portion of the flour as the company commander deems necessary for food in other forms than bread—not exceeding two ounces per ration—may be drawn by the company. The remainder will be turned into the post bakery, and for each ration of flour thus turned in the company is entitled to one ration of bread or the price of one flour ration. Savings on the flour ration, ordinarily 33 per cent., will be disposed of by the post treasurer for the benefit of the troops; bread may be baked from it for sale to civilian employees and others connected with the military service at the post, and to post exchanges; the residue of the flour will be sold. At the end of every quarter the post council will make an equitable distribution of the money savings of the bakery, and this action when approved by the post commander

will be final. Surplus bread will be sold only by the bakery. When enlisted men or others entitled to rations are allowed to mess separately from companies or organizations, they will not, when flour is issued to them by the Subsistence Department, be required to turn it into the post bakery if they prefer the ration of flour to the ration of bread issued therefrom, but they will not be entitled to any share of the bakery profits. The savings of flour by troops in the field will be credited to the company fund.

**297.** The bakery fund will be under the supervision of the post council, and will be collected and held by the officer appointed by the post commander as post treasurer, who will also act as post librarian.

**298.** The post treasurer will open an account with the bakery fund and will make payments therefrom in pursuance of specific appropriations by the post council, approved by the post commander. The account will at all times be subject to the post commander's inspection.

**299.** When an officer is relieved from duty as post treasurer, his accounts will be audited by the post council.

#### COMPANY AND MESS FUNDS.

**300.** The company fund, which will consist of the gross amounts of money received from all sources, is received by the company commander and, with the concurrence of the company council, is disbursed by him solely for the benefit of the company. Articles of the established ration purchased with company funds will be purchased from the commissary, if practicable. The fund of the hospital, or of a detachment or band having a separate mess, is regarded as a company fund. Moneys accruing to the fund of a detachment of the Hospital Corps, together with the proceeds from the savings of the rations of the sick in hospital, belong to the hospital fund.

**301.** The company commander will keep an account of the company fund, which will be subject to inspection by the commander of the post and regiment and members of the company council.

**302.** Extra compensation may be paid to enlisted men from company or general mess funds as follows: From a company fund, 25 cents per day to the head cook; from a general mess fund, not exceeding \$2.00 per day, to be apportioned by the mess council among the cooks and other necessary regular attendants. Of this \$2.00 the mess council may allot to the mess steward (who may be a noncommissioned officer) a per diem of 50 cents, and in addition thereto a share of the remaining \$1.50. The head cook of a company and such of the regular attendants of a general mess as the commanding officer may designate will be inspected and mustered in the kitchen or mess hall. They will be excused from the ordinary post duties, but will attend target practice when practicable.

**303.** An officer appointed by the post commander will, under his direction, conduct the general mess affairs, make necessary purchases, and have charge of the mess fund. Quarterly and when relieved he will submit to the mess council a statement of all business dealings and money transactions, with proper vouchers. Upon the call of the mess council, he will furnish information regarding the condition and management of the mess. A company on taking the field or withdrawing from a general mess will be entitled to a just share of the fund thereof, to be determined by the mess council, approved by the post commander.

## ARTICLE XXXV.

## POST BAKERIES.

**304.** Bread will be baked in post bakeries when practicable. At all permanent posts a suitable building for the purpose, and the necessary utensils and furniture therefor, will be provided by the Quartermaster's Department. Such necessary fuel as can be saved from authorized issues to troops may be used in post bakeries. If more is needed it may be purchased from the quartermaster at contract price. The post treasurer, under the supervision of the commanding officer, will have charge of the bakery.

**305.** A competent enlisted man will be detailed as chief baker, and if necessary, one or more enlisted men as assistant bakers.

**306.** Extra pay to post bakers will be paid from the bakery fund, and the following daily rates are authorized: To the chief baker at a post of one company, 25 cents; two companies, 35 cents; three companies, 40 cents; four or more companies, 50 cents. To each necessary assistant, 10 cents less than the chief baker, when the chief baker's pay is 40 cents or less, and 15 cents less, when the chief baker's pay is 50 cents.

**307.** The expenses of the bakery will be restricted to the extra pay of the bakers, the purchase of articles necessary for making bread, and utensils not furnished by the supply departments. These expenses must be paid from the savings of the flour ration.

**308.** The chief baker will be inspected and mustered at the post bakery. He will be excused from ordinary post duties, but will attend target practice when practicable.

**309.** The baking of bread by companies at posts is expressly forbidden.

## ARTICLE XXXVI.

## LIBRARIES, READING ROOMS, ETC.

**310.** At each permanent post suitable rooms will be set apart for use as library, reading room, chapel and school. The Quartermaster-General will procure and forward to post libraries such newspapers and periodicals, and to post schools such schoolbooks, stationery and school material for the use of enlisted men as are authorized by the Secretary of War. Newspapers and periodicals will not be taken from the library; schoolbooks will not be taken from the schoolroom except for the proper use of those attending the post school. These books and periodicals are intended especially for the use of enlisted men. Books for post chapel services are not furnished by the Government; the chaplain is expected to obtain them through the voluntary contributions of those interested. The library and reading rooms may be used by officers in such manner as not to interfere with their use by enlisted men.

**311.** At any post where building material can be obtained without expense to the Government, and enlisted men desire to erect buildings by their own labor for use as post exchanges, gymnasiums, bowling alleys, and other places of amusement, the post commander is authorized to use the necessary teams and such tools, window sash, doors, and other material as may be on hand and can be spared.

**312.** In all cases of necessary removal, the articles supplied for use in bakeries, libraries, reading rooms, schools, and gymnasiums will be transported by the Quartermaster's Department.

**313.** The Quartermaster's Department will furnish fuel for heating libraries, reading rooms, schools, chapels, and gymnasiums as indicated in paragraph 1006.

#### ARTICLE XXXVII.

##### POST GARDENS.

**314.** Commanding officers of posts at or near which suitable public lands are available, will set aside for post gardens such ground as may be necessary for the production of vegetables for the command and will cause it to be cultivated by the garrison.

**315.** Seeds for post gardens may be procured from the commissary, or from dealers or producers in the vicinity of the post. Payment for such articles at cost prices will be made from post exchange funds, or pro rata from company and hospital funds.

**316.** Department commanders will give such instructions as may be necessary for carrying these regulations into effect and for the proper distribution of products of gardens among those entitled to them. Surplus products may be sold and the proceeds divided among the company funds of the garrison according to strength of companies.

#### ARTICLE XXXVIII.

##### POST SCHOOLS.

**317.** The instruction of enlisted men is a military duty. The post commander will detail an officer to conduct the post school. Instruction will be given by officers, assisted by teachers detailed from the enlisted men. Commanding officers are enjoined to personally aid and encourage those needing instruction, which will not be restricted to the elementary branches, but will extend to and include any subjects for which enlisted men under instruction may have an aptitude, or which they can pursue with advantage to themselves or to the service. In the absence of proper text-books instruction will be oral. Desks and other material needed in schoolrooms will be supplied by the quartermaster.

**318.** School terms, aggregating not less than four months in each year, will be designated by the department commander, and sessions will be held daily, Saturdays and Sundays excepted. At the beginning of each term, company commanders will furnish to the post commander a list of men needing or desiring instruction.

**319.** The number of teachers detailed from the enlisted men will not exceed one to every fifteen pupils or fraction of that number. If there be no enlisted men present suitable for such detail, the commanding officer will apply to the Adjutant-General of the Army for the number required. For Saturdays and Sundays and during vacation but one teacher at each post will be allowed extra-duty pay, and he will be required to care for the schoolbooks and property, and to teach the recruits and children. A school-teacher is not entitled to extra-duty pay while absent on furlough or on pass exceeding twenty-four hours.

**320.** The adjutant-general of each department will, under the direction of its commander, have a general supervision of the post schools of the department. He will make, annually, to the Adjutant-General of the Army a full report of their condition and progress, setting forth specifically any case of failure or neglect on the part of a post commander to take proper interest in them or to facilitate their operation. This report will accompany the annual report of the department commander. Twice each year reports will be rendered by officers in charge of schools on the prescribed forms, through post commanders, to the adjutant-general of the department, who will forward a consolidation thereof with his annual report.

**321.** Officers of the Inspector-General's Department will examine into the system of instruction, advise post commanders of defects and suggest methods of improvement. They will endeavor to bring about uniformity in methods of management and instruction.

**322.** At posts where the number of children present will admit of it and where there are no convenient educational privileges, schools will be maintained at which the attendance of children of officers will be optional with parents and those of enlisted men compulsory. The sessions of children's schools will be during such hours of the day as commanding officers may direct.

**323.** The children of civilians living near a post may be permitted to attend the post school. In such cases the parents will, if able, pay a small compensation for the privilege and will supply the necessary books.

**324.** The officer in charge of the post school will regulate the character and methods of instruction and enforce necessary discipline. Enlisted men in attendance who misbehave will be duly reported to the post authorities. Harsh punishment will not be inflicted upon children; if not amenable to discipline, their conduct will be reported to the commanding officer, who will take the necessary action. For noncompliance with the rules of the school, children of officers may be deprived of its privileges.

## ARTICLE XXXIX.

### POST EXCHANGES

**325.** Post exchanges are established and maintained under special regulations prepared by the War Department, which will be published from time to time.

**326.** On June 30 and December 31 of each year the commanding officer of a post at which an exchange is conducted will submit to the Adjutant-General of the Army, through military channels, a detailed report of the operations and financial condition of the exchange, accompanied by such remarks touching its effect upon the welfare of his command as he may deem it necessary to make for the information of the Commanding General of the Army and the Secretary of War.

## ARTICLE XL.

### CARE OF FORTIFICATIONS AND MAGAZINES.

**327.** No person will be permitted to walk upon any of the slopes of a fortification, excepting the ramps and glacis. If necessary to provide for

crossing them, it should be done by means of wooden steps or stairs. The occasional walking of persons on a parapet will do no harm provided the surface is not cut into paths.

**328.** Animals will not be permitted to graze upon the slopes, parapets, or ramparts, nor upon the glacis except within fenced limits which shall not approach within 30 feet of the crest of the glacis.

**329.** All grassed surfaces except the glacis will be frequently mowed. In cutting the grass upon small slopes a sickle will be used; in mowing the steep slopes the mower will stand on a light ladder resting against the slope.

**330.** Hay may be cut on the glacis, or if fenced, it may be used as a pasture; otherwise it will be treated like other slopes of the fortification. On all slopes dead sods will be replaced with fresh ones. Weeds will be eradicated. The burning of grass upon any portion of a fortification is prohibited. The formation of gullies in the parade, terreplein, and ramps, will be prevented, especially in slopes where grass is not well established.

**331.** Terrepleins, floors, pavements, and walks, when constructed of brick, masonry or concrete, will be preserved from injury with great care. They will be protected by planks whenever it is necessary to move guns or vehicles of any kind over them, and no heavy weight will be permitted to fall upon them.

**332.** Earth, sand or ashes will not be placed against woodwork. Wooden floors, platforms and bridges will be kept clean and exposed to a free circulation of air. Doors and windows of all storerooms, of unoccupied casemates, quarters and buildings will be opened several times a week for thorough ventilation.

**333.** The labor required by this article, as well as repairs requiring small disbursements, such as repainting exposed wood or iron work, can be performed by the garrison; but reports, estimates, and requisitions may be necessary to obtain materials.

**334.** The taking of photographic or other views of permanent works of defense will not be permitted.

**335.** Magazines will be opened for ventilation in dry weather only. The ventilators will be kept free. No shrubbery or trees will be permitted to screen the buildings from the sun.

**336.** Moisture in a magazine may be absorbed by chloride of lime placed in an open vessel. The use of quicklime is dangerous.

**337.** Canes, swords or other articles which might produce sparks will not be taken into a magazine, and no person will enter without first removing his shoes or putting on magazine slippers.

**338.** Barrels containing powder will be occasionally inspected and brushed to prevent insects from destroying the hoops. Carbolic acid may be used as a preventive. When necessary to prevent caking, barrels of powder will be rolled on boards outside the magazine. Should the powder be caked, great caution must be used in breaking the lumps. The grains must be separated, but not pulverized.

**339.** Under no circumstances will cartridge bags or projectiles be filled in a magazine.



**340.** Smoking or fire will not be allowed in the vicinity of a magazine. Should a fire accidentally occur near by, the ventilators and windows will be immediately closed and the building covered with paulins or blankets saturated with water. No attempt should be made to remove the contents.

**341.** Such articles as loaded shells, fuses, friction primers, water caps, rockets and fireworks will never be put in a magazine containing powder.

**342.** Shells will not be charged until there is occasion for firing them.

**343.** The instructions regarding the care and preservation of artillery material, contained in the authorized Manual of Heavy Artillery, will be observed by the commanding officer of each military post at which such material is used or stored.

## ARTICLE XLI.

### LIGHT ARTILLERY INSTRUCTION.

**344.** For purposes of instruction the lieutenants of the artillery regiments will be assigned for tours of duty not exceeding three years with the light batteries of their respective regiments. Transfers to and from light batteries will be made by the Commanding General of the Army after consideration of such recommendations as may be made by the regimental commanders, and will, as far as practicable, take effect on the 1st day of October. Regimental commanders will forward their recommendations in due season to the Adjutant-General of the Army. Details for light artillery instruction will, as a rule, be made from officers who are not on detached or special service.

**345.** Captains of light batteries will be assigned, with the approval of the Secretary of War, by the Commanding General of the Army, upon the recommendation of regimental commanders, whose recommendations will be based solely upon the special qualifications of officers for the command of the instruction batteries.

## ARTICLE XLII.

### INSTRUCTION IN TORPEDO SERVICE.

**346.** The commanding officer of each cavalry, artillery, and infantry regiment may, on the 1st day of September of each year, nominate to the Commanding General of the Army one subaltern for detail at Willets Point, N. Y., for a course of instruction in torpedo service, commencing on the 1st day of December and ending on the 1st day of October following. The nominations thus made will be forwarded through the regular military channels.

**347.** The conditions governing the detail will be determined each year and announced in general orders from the Headquarters of the Army.

## ARTICLE XLIII.

### ARTILLERY PRACTICE.

**348.** At all posts with fixed batteries the position of every gun, mounted or to be mounted, will have its number, which will be placed on the gun when in position. The guns will be numbered in a regular series, commencing with the first gun on the left of the main entrance looking out.

Where there are platforms temporarily unoccupied by guns they will be included in the regular series of numbering. The pieces of other batteries will be numbered from right to left.

**349.** At all posts with fixed batteries a book will be kept, known as the Post Book of Artillery Record, in which, under the direction of the post commander, will be entered the number of each mounted gun, its caliber, weight, names of founder and inspector, and other marks, the description of its carriage, whence received, date of receipt at post, and the greatest field of fire of the gun in position. This book will be furnished by the Ordnance Department. Instructions for keeping it will be found in front pages.

**350.** The commanding general of each department within which are the headquarters of one or more regiments of artillery, with the approval of the Commanding General of the Army, will select a competent field officer of artillery, not a colonel, to be attached to the department staff, who will be designated the artillery inspector. He will perform such duties in connection with his arm as may be assigned to him by the department commander, make such inspections of the artillery troops and material in the department as may be ordered by the Secretary of War, and report thereon to the department commander.

**351.** The commanding officer of each post where there are fixed batteries bearing upon a channel, will call upon the Engineer Department for accurate charts showing the soundings within range of the guns. These charts will be elaborated as prescribed by instructions and general orders governing artillery practice.

**352.** The details of the methods of conducting the technical instruction of artillery troops, target practice with heavy and light artillery, and the artillery competitions will be prescribed in orders and instructions issuing from the Headquarters of the Army. Any deviation from the prescribed methods must be sanctioned by the department commander.

**353.** All officers of artillery will be encouraged to submit, through proper channels, suggestions and devices for improving prescribed methods. Changes affecting the authorized Manual of Heavy Artillery will be published in Artillery Memoranda from the Adjutant-General's Office.

**354.** The allowance of ammunition for the instruction of heavy and light artillery batteries and for practice with machine guns will be determined each year and announced in general orders from the Headquarters of the Army.

**355.** Targets and target material for artillery practice will be provided by the Ordnance Department. The Quartermaster's Department will furnish all necessary assistance in placing, removing and storing targets.

**356.** In addition to such reports as may be required by instructions and orders governing artillery practice, the commanding officer of a post or battery will forward for the information of the Chief of Ordnance, on forms supplied by the Ordnance Department, a report of each shot fired in practice, instruction, and active service.

## ARTICLE XLIV.

## SMALL-ARMS PRACTICE.

**357.** Small-arms practice will be conducted in accordance with the authorized firing regulations and orders from the War Department. The period selected for practice on the range will be announced annually by department commanders, who will also publish the results of the firing, and the names of qualified sharpshooters; all orders containing instructions to govern either preliminary methods or practice with the rifle, carbine, or revolver, will be issued from the Headquarters of the Army.

**358.** Reports as to the amount of instruction imparted and the degree of efficiency attained will be rendered only as required by the firing regulations for small arms, or by orders issued from the Headquarters of the Army. The necessary books and blanks will be supplied by the Ordnance Department.

**359.** The values of small-arms ammunition and of the component parts thereof will be published in general orders.

**360.** The aggregate allowance of ammunition for any company will be expended at such times during the year as the department commander may direct, or in the absence of specific directions, as the post and company commanders may determine. When not used in target practice, ammunition may, in the discretion of the post and company commanders, be expended in hunting.

**361.** Company commanders will keep a permanent record for each calendar year of the ammunition expended in target firing at each practice. Any expenditure in excess of authorized allowances will be charged to the officer accountable. Ammunition not expended at the end of the calendar year will be no longer available.

**362.** The Ordnance Department will provide the requisite targets, streamers and flags. The quartermaster will set up the targets, prepare the range and construct shelters for the markers. Flour for making paste for use in target practice will be issued by the commissary.

**363.** Where hunting for large game is practicable the men will be encouraged to hunt, and for this purpose company commanders may permit their men to purchase cartridges, if supply warrants it, such sales to be accounted for on returns of ordnance.

## ARTICLE XLV.

## ROSTER, DETACHMENTS AND DAILY SERVICE.

## THE ROSTER.

**364.** A roster is a list of officers or men for duty, with a record of the duty performed by each. Generally, details for duty are made so that the one longest off is the first for detail. Details so made are said to be made by roster.

**365.** All details for service in garrison and in the field, except the authorized special and extra-duty details, will be by roster; but officers or enlisted men, when detailed, must serve, whether a roster be kept or not. Having performed the service, they may appeal to superior authority if they deem themselves aggrieved.

**366.** The duties performed by roster are of two classes. The first comprises, (1) outposts; (2) interior guards, including stable guards; (3) detachments to protect laborers on military works; (4) armed working parties on such works. The second comprises all other duties and fatigue, in or out of the garrison or camp.

**367.** The rosters are distinct for each class. Officers are named on them in the order of rank. Details are made in succession according to roster, beginning at the head.

**368.** Lieutenant-colonels and majors are on one roster, and may be detailed when the importance of the duty requires it. In the field their roster is kept at division and brigade headquarters. Captains form one roster and are exempt from ordinary fatigue duties. A captain commanding a battalion is exempt from detail, and duty falling to him passes. Lieutenants form one roster, and first and second lieutenants are entered alternately. Sergeants, corporals, musicians and privates form distinct rosters.

**369.** Officers, noncommissioned officers and privates take duties of the first class in the order stated in paragraph 366, viz, the first for detail takes the outposts, the next the interior guards, and so on. In those of the second class the senior officer takes the largest party. The party first for detail takes the service out of camp.

**370.** In making details by roster, an officer or enlisted man is each day charged with the number of days that he has remained present and available since the beginning of his last tour. Departures from this rule may be authorized by the commanding officer whenever a strict application would allow improper advantage or work hardship.

**371.** When an officer has been detailed and is not present or available at the hour of marching, the next after him takes the duty. When an outpost has passed the chain of sentinels, or an interior guard has reached its post, the officer whose tour it was can not take it unless so ordered by the commanding officer, but succeeds to the tour of the officer who has taken his.

**372.** Duties of the first class are credited on the roster when the guards or detachments have passed the chain of sentinels or an interior guard has reached its post; other duties, when the parties have entered upon their performance.

**373.** An officer or enlisted man on duty of the first class, or who is next for detail for such duty, is available, when relieved, for duty of the second class that has fallen to him during that time. Except in emergencies no duty will be required of the old officer of the day or the old guard until four hours after they have been relieved.

**374.** Soldiers march armed, and if necessary, fully equipped, on all duties of the first class.

**375.** In the cavalry, dismounted men and those whose horses are not fit for service are preferred for all dismounted details. Mounted men are never employed on such service if the number of dismounted men is sufficient.

**376.** In the field, every enlisted man of the cavalry detailed for dismounted service will, before he marches, take to the first sergeant of his troop his horse equipments and saddle, ready packed. In case of alarm the first sergeant sees that the horses of these men are equipped and led to the rendezvous.

**377.** Light batteries serving with other troops will perform their own guard, police, and fatigue duty, and officers and men will be exempt from detail for other duty of like character, except when in the judgment of the post commander the necessities of the service will not permit such exemption, in which case he will immediately report his action and the circumstances to the department commander.

#### DETACHMENTS.

**378.** As far as the exigencies of the service will permit, detachments for armed service will be formed by taking battalions, companies, platoons, or other subdivisions in turn, according to the roster.

**379.** Officers or enlisted men detailed for detached service while on other duty will be relieved from that duty if they can reach camp in time to march with the detachment.

**380.** When a detachment is to be formed from the different organizations of a command, the adjutant or adjutant-general forms its contingent, verifies the details and sends it to the place of assembly, or turns it over to the detachment commander.

**381.** When detachments meet, the command is regulated while they serve together as if they formed one command, but the senior officer can not prevent the commander of any detachment from moving when he thinks proper to execute the orders he has received.

**382.** On the return of a detachment its commander reports to the headquarters from which he received his orders.

#### DAILY SERVICE.

**383.** There should be daily at least two roll calls, viz, at reveille and retreat. Commanding officers may also order roll calls in special cases at such times as they deem necessary. The roll will be called on the company parade by the first sergeant, superintended by a commissioned officer. If companies are quartered together or in contiguous barracks, one officer may superintend the roll call of two or more of them, provided he can do so efficiently, commanding officers regulating the practice in this regard. Ordinarily there will not be any formation for roll call at tattoo, but the prescribed signal will be sounded, and fifteen minutes thereafter lights in squad rooms will be extinguished and all noises and loud talking will cease. Call to quarters will be sounded at 10.45 p. m. and taps at 11. At taps all lights not authorized by the commanding officer will be extinguished and the first sergeant or other noncommissioned officer, as the company commander may direct, will inspect each company and report to the officer of the day the names of all unauthorized absentees. Reveille roll call in garrison will not ordinarily take place earlier than 5.30 a. m. in summer, or 6.30 a. m. in winter. At retreat roll call the troops are brought to parade rest and so remain during the sounding of retreat.

**384.** Mess call will be sounded daily as follows: For breakfast, fifteen minutes after reveille roll call; for dinner, not earlier than 12 m. nor later than 12.15 p. m.; for supper, not earlier than 5 nor later than 6.30 p. m. Meals for enlisted men will be served promptly at the hours appointed and the duties of the post, as far as compatible with the requirements of

the service, will be so arranged that the enlisted men may be present. The men will be allowed at least twenty minutes for breakfast and supper and thirty minutes for dinner.

**385.** Except at the ceremony of parade, the result of a roll call will be reported after the companies have been dismissed, to the officer superintending the call, who will report the result to the commanding officer.

**386.** In camp and garrison the commanding officer fixes the hours for reports, issues and roll calls, and for the performance of stated duties and fatigues. In garrison, retreat will be at sunset. The signals will be sounded by the field musicians in accordance with authorized drill regulations.

**387.** After breakfast, and after stable duty in the cavalry, the tents or quarters and adjacent ground will be policed by the men of the companies and the guardhouse or guard tent by the prisoners or by members of the guard if there be no prisoners.

**388.** The morning reports of the companies, signed by the company commanders and first sergeants, will be handed to the adjutant before 8 o'clock in the morning and will be consolidated by him within the next hour. The consolidated report will be signed by the commanding officer and the adjutant.

## ARTICLE XLVI.

### HONORS, COURTESIES AND CEREMONIES.

#### HONORS.

**389.** The officers named below will be received with standards and colors dropping, officers and troops saluting, and the bands and field music playing, as follows: The President, the President's March; the General, the General's March; the Lieutenant-General or the Major-General Commanding the Army, trumpets sounding three flourishes or drums beating three ruffles; a major-general, two flourishes or two ruffles; a brigadier-general, one flourish or one ruffle.

**390.** To the Vice-President, the members of the Cabinet, the Chief Justice, the President of the Senate, the Speaker of the House of Representatives, American or foreign ambassadors, and governors within their respective States and Territories the same honors are paid as to the General; to the Assistant Secretary of War and to American or foreign envoys or ministers, the same honors as to the Lieutenant-General; to officers of the Navy the honors due to their assimilated or relative rank; to officers of marines and volunteers, and militia when in the service of the United States, the honors due to like grades in the regular service; to officers of a foreign service the honors due to their rank.

**391.** The national or regimental color or standard, uncased, passing a guard or other armed body will be saluted, the field music sounding "to the color" or "to the standard." Officers or enlisted men passing the uncased color will render the prescribed salute; with no arms in hand, the salute will be made by uncovering.

**392.** No honors are paid by troops when on the march or in trenches and no salute is rendered when marching in double time or at the trot or gallop.

**393.** The commanding officer is saluted by all commissioned officers in command of troops or detachments. Troops under arms will salute as prescribed in drill regulations.

**394.** All officers salute on meeting and in making or receiving official reports. Military courtesy requires the junior to salute first, but when the salute is introductory to a report made at a military ceremony or formation to the representative of a common superior—as for example, to the adjutant, officer of the day, etc.—the officer making the report, whatever his rank, will salute first; the officer to whom the report is made will acknowledge by saluting, that he has received and understood the report. When under arms the salute is made with the sword or saber if drawn; otherwise with the hand. A mounted officer dismounts before addressing a superior not mounted.

**395.** On official occasions, officers when indoors and under arms do not uncover, but salute with the sword if drawn; otherwise with the hand. If not under arms, they uncover and stand at attention, but do not salute except when making or receiving reports.

**396.** When an enlisted man without arms passes an officer he salutes with the hand farthest from the officer. If mounted, he salutes with the right hand. Officers are saluted whether in uniform or not.

**397.** An enlisted man, armed with the saber and out of ranks, salutes all officers with the saber if drawn; otherwise he salutes with the hand. If on foot and armed with a rifle or carbine, he makes the rifle or carbine salute. A mounted soldier dismounts before addressing an officer not mounted.

**398.** A noncommissioned officer or private in command of a detachment without arms salutes all officers with the hand, but if the detachment be on foot and armed with the rifle or carbine, he makes the rifle or carbine salute, and if armed with a saber, he salutes with it.

**399.** An enlisted man, if seated, rises on the approach of an officer, faces toward him and salutes. If standing, he faces the officer for the same purpose. If the parties remain in the same place or on the same ground, such compliments need not be repeated. Soldiers actually at work do not cease work to salute an officer unless addressed by him.

**400.** An enlisted man makes the prescribed salute with the weapon he is armed with, or if unarmed, whether covered or uncovered, with the hand, before addressing an officer. He also makes the same salute after receiving a reply.

**401.** Indoors, an unarmed enlisted man uncovers and stands at attention upon the approach of an officer; he does not salute unless he addresses or is addressed by the officer. If armed he salutes as heretofore prescribed, without uncovering.

**402.** When an officer enters a room where there are soldiers, the word "Attention" is given by some one who perceives him, when all rise and remain standing in the position of a soldier until the officer leaves the room. Soldiers at meals do not rise.

**403.** Soldiers at all times and in all situations pay the same compliments to officers of the Army, Navy, and Marines, to officers of volunteers and officers of the militia in the service of the United States, as to officers of their own regiments, corps or arm of service.

**404.** Officers will at all times acknowledge the courtesies of enlisted men by returning salutes given, in the manner prescribed in drill regulations. When several officers in company are saluted, all who are entitled to the salute return it.

## SALUTES WITH CANNON.

**405.** Salutes will be fired between sunrise and sunset only, and, as a rule, not on Sunday. The national flag will always be displayed at the time of firing a salute.

**406.** The national salute is 21 guns. The salute to the Union, commemorative of the Declaration of Independence and consisting of one gun for each State, is fired at noon on July 4, at every post provided with artillery.

**407.** The President, both on his arrival at and departure from a military post, or when in its vicinity, receives a salute of 21 guns. No other personal salute is fired in his presence.

**408.** The Vice-President and President of the Senate receive a salute of 19 guns; members of the Cabinet, the Chief Justice, the Speaker of the House of Representatives, American or foreign ambassadors, a committee of Congress officially visiting a military post, and governors, within their respective States or Territories, receive 17 guns. The Assistant Secretary of War, when officially visiting a military post, receives 15 guns.

**409.** American or foreign envoys or ministers receive 15 guns; ministers resident accredited to the United States, 13 guns; *chargés d'affaires*, 11 guns; consuls-general accredited to the United States, 9 guns.

**410.** The sovereign or chief magistrate of a foreign country receives the salute prescribed for the President; members of a royal family receive the salute due to their sovereign.

**411.** The General receives a salute of 17 guns; the Lieutenant-General or Major-General Commanding the Army, 15 guns; a major-general, 13 guns, and a brigadier-general, 11 guns.

**412.** An officer assigned to duty according to his brevet rank is entitled to the salute prescribed for the grade to which he is assigned.

**413.** As a rule, a personal salute is fired when the personage entitled to it enters a post.

**414.** A general officer is saluted but once a year at each post when notice of his intention to visit it has been given. A retired general officer making an official visit is saluted according to his grade. When several persons, each of whom is entitled to a salute, arrive together at a post, the highest in rank or position is alone saluted. If they arrive successively, each is saluted in turn.

**415.** Officers of the Navy are saluted according to their relative rank; officers of marines and of the volunteer forces or militia in the service of the United States and officers of foreign services are saluted according to rank.

**416.** The salute to a national flag is 21 guns.

**417.** It is the custom of foreign ships of war, on entering a harbor or passing near a fortification, to hoist at the fore the flag of the country in whose waters they are, and to salute it. On the completion of the salute to the flag, a salute of the same number of guns will be promptly returned by the nearest fort or battery. If there be several forts or batteries in sight, or within 6 miles of each other, the saluting station will return the salute.



United States vessels return salutes to the flag in United States waters only when there is no fort or battery to do so. United States vessels do not salute United States forts or posts.

**418.** When a civil functionary entitled to a salute arrives at a military post the commanding officer meets or calls upon him as soon as practicable, and will tender him a review, if the garrison consists of not less than four companies. When a general officer visits a post within his command, the troops will be paraded for review, unless he directs otherwise. When a salute is to be given an officer junior to another present at a post, the senior will be notified to that effect by the commanding officer.

**419.** The flag of a military post will not be dipped by way of salute or compliment.

#### VISITS AND COURTESIES.

**420.** Officers arriving at the headquarters of a territorial department, military command, or at a military post, will call upon the commander thereof as soon as practicable and register their names. If the visiting officer be senior to the commander, the former may send a card, in which case it becomes the duty of the commander to make the first call.

**421.** The interchange of official compliments and visits between foreign military and naval officers and the authorities of a military post is international in character and opens the way to official and social courtesies among the officers. In cases of vessels of war, foreign or otherwise, recently arrived, it is the duty of the post commander to send a suitable officer to offer civilities and assistance. It is expected that this civility will be returned and that within twenty-four hours thereafter, weather permitting, the officer in chief command of the ship or ships will visit the officer in command of the post or station, should the latter be his equal or superior in grade. This visit will be returned within twenty-four hours. Should the naval officer in command be superior in grade to the officer commanding the post or station the first visit will be paid by the latter.

**422.** When a military commander officially visits a vessel of war, he will give notice in advance of his intention to do so. He is received at the gangway by the commander of the vessel and is accompanied there by the same officer when leaving. The officer who is sent with the customary offer of civilities is met at the gangway of a vessel of war by the officer of the deck, and is presented by the latter to the commander of the vessel.

**423.** A vessel of war is approached and boarded, by commissioned officers, by the starboard side and gangway. In entering a boat, the junior goes first and other officers follow in order of rank; in leaving a boat, the senior goes first. The latter acknowledges the salutes which are given at the gangway of a naval vessel.

**424.** Naval vessels fire personal salutes to officers entitled to them when the boats containing them have cleared the ship. It is an acknowledgment of the salute by the officer saluted for his boat to lie on her oars from the first until the last gun and for him to uncover; at the conclusion, to give way. Personal salutes are not returned by military posts.

**425.** In case of vessels of war of foreign powers at peace with the United States lying in our ports or harbors and celebrating their national festivities, the commander of each fort, battery, or military post may participate in the

celebration by firing salutes, parading commands, etc. In such a case the flag of the United States will be hoisted and lowered simultaneously with that of the ship on board of which the celebration occurs.

#### ESCORTS OF HONOR.

**426.** Escorts of honor may be composed of cavalry, artillery, or infantry, or of all arms, according to the circumstances. They are detailed for the purpose of receiving and escorting personages of high rank, civil or military, when they arrive and depart. The troops for this purpose will be selected for their soldierly appearance and superior discipline, and are formed and maneuvered as prescribed in the authorized drill regulations. The post commander in each case will detail an officer to attend the personage escorted, and bear communications from him to the commander of the escort.

#### FUNERAL HONORS.

**427.** On the receipt at any post or camp of official notice of the death of the President of the United States, the commanding officer will, on the following day, cause a gun to be fired every half hour, beginning at sunrise and ending at sunset. When posts are near each other the firing will take place only at the post commanded by the senior officer.

**428.** On the day of interment of a Secretary of War or the Commanding General of the Army a gun will be fired every half hour, beginning at sunrise, until the funeral procession moves.

**429.** The orders announcing the death of a general officer on the active or retired list, or other person entitled to a salute of cannon, will specify the number of guns to be fired at half-hour intervals, commencing at 8 o'clock a. m. on the day after the receipt of the order. During the firing the flag will be displayed at half-staff. The number of guns to which the deceased was entitled will be fired. The posts at which they shall be fired will be designated in the orders.

**430.** When the funeral of an officer, who was entitled to a salute, takes place at or near a military post, minute guns will be fired while the remains are being borne to the place of interment but the number of guns will not exceed that to which the officer was entitled as a salute. After the remains are deposited in the grave a salute corresponding to the rank of the deceased will be fired in addition to three salvos of artillery or three volleys of musketry.

**431.** If the remains of a flag officer of the Navy are brought ashore in the vicinity of a military post, the flag will be displayed at half-staff and minute guns will be fired as the procession moves. The number of guns will be that to which the officer was entitled as a salute.

**432.** During the funeral of a civil functionary who was entitled to a salute, the flag is displayed at half-staff and minute guns are fired.

**433.** On the death of an officer at a military post the flag is displayed at half-staff and so remains, between reveille and retreat, until the last salvo or volley is fired over the grave; or if the remains are not interred at the post, until they are removed therefrom.

**434.** During the funeral of an enlisted man at a military post the flag is displayed at half-staff. It is hoisted to the top after the final volley or gun is fired, or after the remains are taken from the post. The same honors are paid on the occasion of the funeral of a retired enlisted man.

**435.** All military posts in sight of each other display their flags at half-staff upon the occasion of one doing so. The same rule is observed toward all vessels of war.

**436.** When the flag is displayed at half-staff it is lowered to that position from the top of the staff. It is afterwards hoisted to the top before it is finally lowered.

**437.** The funeral escort of the Secretary of War or General of the Army will consist of a regiment of infantry, a squadron of cavalry, and two batteries of artillery; of the Lieutenant-General or the Major-General Commanding the Army, a regiment of infantry, a squadron of cavalry and a battery of artillery; of a major-general, a regiment of infantry, two troops of cavalry, and a battery of artillery; of a brigadier-general, a regiment of infantry, a troop of cavalry, and a platoon of artillery; of a colonel, a regiment; a lieutenant-colonel or major, a battalion or squadron; a captain, one company; a subaltern, a platoon. The funeral escort of a general officer, or of any other officer either on the active or retired list, when the funeral occurs at any other place than a military post or camp, will be ordered by the Commanding General of the Army with the approval of the Secretary of War, and will be composed of such bodies of troops, not exceeding the number prescribed in this paragraph, as the interests of the service will permit. But in all cases where the funeral ceremonies take place at or in the immediate vicinity of a military post, or where the remains are conveyed through a military post en route to the place of burial, the above regulation relative to escort will be complied with, so far as the strength of the garrison will allow; the flag will be at half-staff while the remains are at or in the immediate vicinity of the post and the department or post commander will give the necessary orders.

**438.** The funeral escort of an officer will be commanded by an officer of the same grade; if none such be present, by one of the next lower grade. The ceremony is prescribed in the drill regulations.

**439.** The funerals of a noncommissioned staff officer will consist of sixteen rank and file, commanded by a sergeant; of a sergeant, of fourteen rank and file, commanded by a sergeant; of a corporal, of twelve rank and file, commanded by a corporal; of a private, of eight rank and file, commanded by a corporal.

**440.** The funeral escorts of officers of field artillery will be as follows: Colonel, twelve pieces; lieutenant-colonel and major, eight pieces; captain, four pieces; lieutenant, two pieces. The escort of an enlisted man will consist of one piece. Caissons need not accompany the pieces.

**441.** Six pallbearers will be selected from the grade of the deceased, or from the next grade above or below.

**442.** Officers and enlisted men attending military funerals wear uniform and side arms and in the funeral procession follow the mourners in order of rank. The funeral of an officer is attended by such officers of the post or organization in the field as other duties will permit. The funeral of a noncommissioned officer is attended by the noncommissioned officers and privates of the regiment, or such part of it as may be present and can be spared from other duties; that of a private by the noncommissioned officers and privates of his company.

**443.** The badge of military mourning is a knot of black crape worn upon the sword hilt for a period not to exceed thirty days.

**444.** As family mourning, officers may wear a straight band of crape five inches wide around the left arm above the elbow.

**445.** The drums of a funeral escort will be covered with black crape or thin black serge, furnished by the quartermaster.

**446.** The colors of a regiment will not be placed in mourning or draped, except when ordered from the War Department. Two streamers of crape seven feet long and about twelve inches wide attached to the ferrule below the spearhead will be used.

**447.** Funeral honors will be paid to deceased officers without military command in accordance with their grade.

#### CEREMONIES.

**448.** All ceremonies will be conducted as prescribed in the authorized drill regulations.

**449.** There will be daily one parade, morning or evening, as the commanding officer may direct, which will not be dispensed with except on urgent occasions. All officers and men will be present unless specially excused or on duty incompatible with such attendance.

**450.** At every military post or station the flag will be hoisted at the sounding of the first note of the reveille, or of the first note of the march, if a march be played before the reveille. The flag will be lowered at the sounding of the last note of the retreat, and while the flag is being lowered the band will play The Star Spangled Banner.

**451.** Troops will be mustered for pay on the last day of each month unless otherwise ordered by the Secretary of War. When the commanding officer can not muster all the troops he will designate other officers to assist.

**452.** Each stated muster will, when practicable, be preceded by a minute and careful inspection. If the command consists of more than one company, the inspection will be preceded by a review. If the day for muster falls on Sunday, such review and inspection will be omitted.

#### ARTICLE XLVII.

##### GUARDS.

**453.** The authorized Manual of Guard Duty is the guide in all matters relating to duties of guards not contained in these regulations.

**454.** Articles of camp and garrison equipage needed for strictly post or police purposes, as flags, spades, shovels, axes, hatchets, pickaxes, and brooms, will be issued by the quartermaster on special requisition of the officer of the guard or officer of the day, approved by the post commander. These articles will be receipted for by the officer making the requisition and dropped from the quartermaster's returns; articles other than those herein enumerated will be continued on his returns.

**455.** Articles so obtained will be duly entered, by the officer who receives them, on the guard report under the heading "Articles in charge." They will be carried on the report and daily receipted for by the successive officers of the guard or day. When no longer fit for use they will be submitted for inspection, and, if condemned, disposed of as ordered.

**456.** An officer who receipts for property so carried on the guard report is not required to render returns thereof. He is relieved from accountability for it by the receipt of his successor.

### ARTICLE XLVIII.

#### MAPS AND RECONNAISSANCES.

**457.** The commanding officer of every body of troops ordered to march will select a competent person, preferably a commissioned officer, to whom he will intrust the special duty of making the field notes and sketches and keeping the journals hereinafter mentioned, for the preparation of a map of the route traversed. The person so selected will be relieved of so much of his routine duties as will enable him to perform this duty. Daily or more frequently, the commanding officer will inspect and verify the notes and journal.

**458.** Journals of marches will be kept in notebooks and route reconnaissances will be recorded on blanks. The books and blanks will be furnished by the Engineer Department. If they can not be obtained they will be prepared according to standard forms as nearly as practicable.

**459.** Notebooks will be freely used and to guard against loss of valuable data, copies will be made, verified and retained, and the originals forwarded to department headquarters at every convenient opportunity. Whenever a sufficient halt is made, a map of the route up to that point, together with a report thereon, will be transmitted in the same manner. These notes will not be omitted when passing over known routes.

**460.** General instructions for the use and preservation of instruments, the character of the observations to be specially made and the methods of recording them will be found in printed notes in the book and on the form which the Engineer Department supplies.

**461.** Requisitions will be made upon the Engineer Department for the necessary instruments, notebooks, and reconnaissance blanks.

### ARTICLE XLIX.

#### THE SERVICE SCHOOLS.

##### THE ARTILLERY SCHOOL.

**462.** The Artillery School at Fort Monroe, Va., constitutes an independent command, from which all reports and returns are made direct to the Headquarters of the Army. It is governed by special regulations.

The school will have the following organization:

1. The commandant of the school and post, the directors of instruction, instructors and assistant instructors, and such organizations, officers, and enlisted men as may be assigned for duty or instruction.

2. The staff of the school, which will consist of the commandant, the directors of instruction, and the commanding officer of the Fort Monroe Arsenal. The adjutant will be secretary of the staff.

**463.** The lieutenants of the instruction batteries will be relieved and replaced by others on September 1 of each alternate year. Transfers for this purpose will be made by the Commanding General of the Army, after consideration of such recommendations as may be made by regimental

commanders and forwarded in due season to the Adjutant-General of the Army. Details for instruction will, as a rule, be made from officers who have not served at the Artillery School, and who are not on detached or special service.

#### THE INFANTRY AND CAVALRY SCHOOL.

**464.** The Infantry and Cavalry School at Fort Leavenworth, Kans., is governed by special regulations, and will have the following organization:

1. Two or more field officers of infantry and one or more of cavalry, the senior of whom will command the school and post; the others will be instructors.

2. Such other officers of the Army as may be detailed for duty as instructors and assistant instructors.

3. The staff of the school, consisting of the instructors in charge of departments.

4. Such organizations, officers, and enlisted men as may be assigned for duty or instruction.

5. The student officers, lieutenants of infantry and cavalry, one from each regiment nominated by the regimental commander, and such others as may be detailed, all of whom will be required to take the prescribed course of instruction. These officers will be detailed in orders from Headquarters of the Army.

6. A secretary of the school and staff, who will be appointed by the commandant.

**465.** Commanding officers of regiments will be directed from Headquarters of the Army to make preliminary selection of officers and of alternates one year in advance of the date of entrance at the school, and such officers or alternates will, at the proper time, be detailed at the school, except for cogent reasons to the contrary; but no officer will be selected who is not physically qualified for active service. A list of the names of officers and alternates selected will be sent from the Adjutant-General's Office to the commandant, who will cause the programme of instruction and list of authorized text-books to be sent to them.

#### HONOR GRADUATES.

**466.** As soon as practicable after the close of the final examination of each class at the Artillery School and at the Infantry and Cavalry School, the respective commandants will report to the Adjutant-General of the Army the names of those student officers recommended by the staff of the school as most distinguished by general proficiency in the prescribed course of study, two from each class at the Artillery School, and not less than three nor more than five from each class at the Infantry and Cavalry School. As long as any such graduate is borne upon the active or retired list of the Army, his name in the Army Register will be accompanied by an appropriate design signifying that he is an honor graduate. The number of honor graduates in any class at the Infantry and Cavalry School will be determined by the Commanding General of the Army on the recommendation of the staff of the school.

#### THE CAVALRY AND LIGHT ARTILLERY SCHOOL.

**467.** The Cavalry and Light Artillery School at Fort Riley, Kans., is governed by special regulations and includes a sub-school of practice for each

of those arms. The school is for the purpose of instruction in the combined operations of cavalry and light artillery.

The school will have the following organization :

1. Field officers, four or more of cavalry and one or more of artillery. The commandant will be a colonel of cavalry, but in his absence the senior officer of cavalry or artillery present will command.

2. The director of the sub-school for cavalry, who will be the senior officer of cavalry present next to the commandant, and the director of the sub-school of light artillery, who will be the senior officer of artillery present.

3. The staff of the school, which will consist of the commandant and all the field officers of cavalry and artillery at the post.

4. Such number of squadrons of cavalry not exceeding three, such number of batteries of light artillery not exceeding five, and such other officers and enlisted men as may be there assigned for instruction.

5. A secretary of the school and its staff, who shall be appointed by the commandant.

#### THE ARMY MEDICAL SCHOOL.

**468.** The Army Medical School, at Washington, D. C., is governed by special regulations, and will have the following organization :

1. The faculty, which will consist of four or more professors selected from the senior officers of the Medical Department stationed in or near the city of Washington, and such associate professors as may be required. The senior officer will be president, and the junior, secretary of the faculty.

2. The student officers, who will be those medical officers who have been appointed since the last preceding term of the school, and such others as may be authorized to attend.

### ARTICLE L.

#### THE GOVERNMENT HOSPITAL FOR THE INSANE.

**469.** The insane of the military service will be sent by department commanders, under proper escort, to Washington, D. C., where they will be reported to the Adjutant-General of the Army, that the orders of the Secretary of War for admission to the Government Hospital for the Insane may be obtained.

**470.** An application for admission to the hospital will be forwarded in time to reach the Adjutant-General of the Army at least one day before the arrival of the patient. It will contain a full description of the patient, and will be accompanied by a certificate of the post surgeon containing the diagnosis and a detailed account of the medical history of the case. If the patient be a soldier, his descriptive list and certificates of disability will accompany the application. He will not be discharged from the service except by order of the Secretary of War after his arrival at the hospital.

**471.** An insane soldier will be escorted by a noncommissioned officer. When a number are sent at one time, or when the patient or patients are violent, the department commander may order such addition to the escort as may be necessary. The noncommissioned officer will report to the Adjutant-General of the Army by telegraph, at least twenty-four hours in advance, the probable time and place of arrival in Washington. After leaving the patient at the asylum, the noncommissioned officer will report to the Adjutant-General of the Army for further instructions.

**472.** On the departure of the patient from his station, the commanding officer will give such orders to the person in charge as will provide for transportation of the necessary attendants to the institution and returning to their posts, also subsistence during their absence. When payment of commutation, in lieu of subsistence in kind, is permissible under paragraph 1272, the commanding officer may, in writing, order commutation for the patient to be paid in advance to, and received for by, the noncommissioned officer to whose charge the patient is committed.

**473.** To obtain the release of a patient when cured, or his delivery to the care of friends, application must be made to the Adjutant-General of the Army, accompanied by the recommendation of the superintendent of the hospital.

## ARTICLE LI.

### INDIANS.

#### INDIAN COUNTRY, ETC.

**474.** If any commanding officer of a military post has reason to suspect or is informed that any white person or Indian is about to introduce or has introduced any spirituous liquor or wine into the Indian country in violation of law, he may cause the boats, stores, packages, wagons, sleds, and places of deposit of such person to be searched; and if such liquor is found therein, the same, together with the boats, teams, wagons, and sleds used in conveying the same, and also the goods, packages, and peltries of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court. It shall, moreover, be the duty of any person in the service of the United States, or of any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except such as may be introduced therein by the War Department. In all cases arising under sections 2139 and 2140, Revised Statutes, Indians shall be competent witnesses.

**475.** The Indian country within the meaning of the foregoing paragraph may be defined, in general, as the Indian Territory, Indian reservations, or districts occupied by Indian tribes and to which the Indian title has not been extinguished; or sections of country over which the operation of the Indian trade and intercourse laws has been retained by Indian treaty stipulations. Should any case arise which, in the opinion of the department commander, does not appear to be embraced within these definitions, he will report it to the Secretary of War, in order that the question whether the location is Indian country may be authoritatively determined.

**476.** When lands are secured to the Indians by treaty against occupation by the whites the military commanders will keep intruders off the same by military force if necessary, until such time as the Indian title is extinguished or the lands are opened by Congress for settlement.

**477.** When questions arise as to the ownership of animals in possession of Indians the commanding officer of the nearest military post is authorized and directed to act in conjunction with the agent in charge of said Indians in the investigation and determination of ownership.

**478.** The introduction into the Indian country for the purpose of sale to or exchange with Indians of any breech-loading firearms and of any special ammunition adapted to them, and the sale and exchange to Indians in the Indian country of any such arms or ammunition, is prohibited. The intro-



duction into the country or district occupied by any tribe of hostile Indians, for the purpose of sale or exchange to them, of arms or ammunition of any description, and the sale or exchange thereof to or with such Indians, is prohibited; and all such arms or ammunition introduced by traders or other persons, and which are liable in any manner to be received by such hostile Indians, shall be deemed contraband of war, to be seized by any officer and confiscated.

**479.** Supplies, stores, and property of any kind procured out of Army appropriations will not be transferred, in any way or under any circumstances, for the use of Indians except under authority first obtained from the Secretary of War. Any officer violating the terms of this regulation will be charged with the money value of the supplies, stores, or property transferred, and in addition be otherwise held accountable, according to circumstances. But this paragraph will not be construed to prohibit the issue of small quantities of subsistence stores to Indians visiting military posts, as authorized in paragraph 1266.

**480.** Indians held as prisoners of war are entitled to receive necessary subsistence, clothing, medicines and medical attendance. There is no authority of law permitting such supplies and attendance to be furnished to Indians under the care and management of the Interior Department. All Indian prisoners will be reported on the post returns under the following form:

Name of tribe.	Number of men.	Number of women.	Number of children above 12 years of age.		Number of children 12 years of age and under.		Date of capture.	Gain.	Loss.	Total.	Total last return.	Remarks.
			Male.	Female.	Male.	Female.						

## INDIAN SCOUTS.

**481.** Indians employed as scouts under the provisions of sections 1094 and 1112, Revised Statutes, will be enlisted for periods of three years and discharged when the necessity for their services shall cease. While in service they will receive the pay and allowances of cavalry soldiers and an additional allowance of 40 cents per day, provided they furnish their own horses and horse equipments; but such additional allowance will cease if they do not keep their horses and equipments in serviceable condition.

**482.** Department commanders are authorized to appoint the sergeants and corporals for the whole number of enlisted Indian scouts serving in their departments, but such appointments must not exceed the proportion of one first sergeant, five sergeants, and four corporals for every sixty enlisted Indian scouts.

**483.** The number of Indian scouts allowed to military departments will be announced from time to time in orders from the Headquarters of the Army.

**484.** The enlistment and re-enlistment of Indian scouts will be made, under the direction of department commanders. The appointment or mustering of farriers or blacksmiths on the rolls of Indian scouts is illegal.

**485.** In all cases of enlistment of Indians the full Indian name, and also the English interpretation of the same, will be inserted in the enlistment papers and in all subsequent returns and reports concerning them.

## ARTICLE LII.

### EMPLOYMENT OF TROOPS IN THE ENFORCEMENT OF THE LAWS.

**486.** It is unlawful to employ any part of the Army of the United States, as a posse comitatus or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and any person willfully violating this provision will be deemed guilty of a misdemeanor, and, on conviction thereof, will be punishable by a fine not exceeding \$10,000 or imprisonment not exceeding two years, or by both such fine and imprisonment.

**487.** The provisions of the Constitution and of acts of Congress understood as intended to be excepted from the operation of the preceding paragraph, authorizing the employment of the military forces for the purpose of executing the laws, are as follows:

### ARTICLE IV OF THE CONSTITUTION.

§ 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened), against domestic violence.

### REVISED STATUTES OF THE UNITED STATES.

#### CIVIL RIGHTS.

**SEC. 1984.** The commissioners authorized to be appointed by the preceding section [sec. 1983] are empowered, within their respective counties, to appoint, in writing, under their hands, one or more suitable persons, from time to time, who shall execute all such warrants or other process as the commissioners may issue in the lawful performance of their duties, and the persons so appointed shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land and naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged; and such warrants shall run and be executed anywhere in the State or Territory within which they are issued.

**SEC. 1989.** It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under any of the preceding provisions, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of this title.

**SEC. 1991.** Every person in the military or civil service in the Territory of New Mexico shall aid in the enforcement of the preceding section [abolishing peonage].

#### INDIANS.

**SEC. 2118.** Every person who makes a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or surveys or attempts to survey such lands, or to designate any of the boundaries by marking trees, or otherwise, is liable to a penalty of one thousand dollars. The President may, moreover, take such measures and employ such military force as he may judge necessary to remove any such person from the lands.

SEC. 2147. The Superintendent of Indian Affairs, and the Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President is authorized to direct the military force to be employed in such removal.

SEC. 2150. The military forces of the United States may be employed in such manner and under such regulations as the President may direct—

First. In the apprehension of every person who may be in the Indian country in violation of law; and in conveying him immediately from the Indian country, by the nearest convenient and safe route, to the civil authority of the Territory or judicial district in which such person shall be found, to be proceeded against in due course of law;

Second. In the examination and seizure of stores, packages, and boats, authorized by law;

Third. In preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law;

Fourth. And also in destroying and breaking up any distillery for manufacturing ardent spirits set up or continued within the Indian country.

SEC. 2151. No person apprehended by military force under the preceding section shall be detained longer than five days after arrest and before removal. All officers and soldiers who may have any such person in custody shall treat him with all the humanity which the circumstances will permit.

SEC. 2152. The superintendents, agents, and sub-agents shall endeavor to procure the arrest and trial of all Indians accused of committing any crime, offense, or misdemeanor, and of all other persons who may have committed crimes or offenses within any State or Territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize. The President may direct the military force of the United States to be employed in the apprehension of such Indians, and also in preventing or terminating hostilities between any of the Indian tribes.

#### THE PUBLIC LANDS.

SEC. 2460. The President is authorized to employ so much of the land and naval forces of the United States as may be necessary effectually to prevent the felling, cutting down, or other destruction of the timber of the United States in Florida, and to prevent the transportation or carrying away any such timber as may be already felled or cut down; and to take such other and further measures as may be deemed advisable for the preservation of the timber of the United States in Florida.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any person or persons shall, after the passing of this act, take possession of, or make a settlement on any lands ceded or secured to the United States, by any treaty made with a foreign nation, or by a cession from any State to the United States, which lands shall not have been previously sold, ceded, or leased by the United States, or the claim to which lands, by such person or persons, shall not have been previously recognized and confirmed by the United States; or if any person or persons shall cause such lands to be thus occupied, taken possession of, or settled; or shall survey, or attempt to survey, or cause to be surveyed, any such lands; or designate any boundaries thereon, by marking trees, or otherwise, until thereto duly authorized by law, such offender or offenders shall forfeit all his or their right, title, and claim, if any he hath, or they have, of whatsoever nature or kind the same shall or may be, to the lands aforesaid, which he or they shall have taken possession of, or settled, or cause to be occupied, taken possession of, or settled, or which he or they shall have surveyed, or attempt to survey, or cause to be surveyed, or the boundaries thereof he or they shall have designated, or cause to be designated, by marking trees or otherwise. And it shall moreover be lawful for the President of the United States to direct the marshal, or officer acting as marshal, in the manner hereinafter directed, and also to take such other measures, and to employ such military force as he may judge necessary and proper, to remove from lands ceded or secured to the United States by treaty or cession as aforesaid any person or persons who shall hereafter take possession of the same, or make, or attempt to make, a settlement thereon, until thereunto authorized by law. And every right, title, or claim forfeited under this act shall be taken and deemed to be vested in the United States, without any other or further proceedings: *Provided*, That nothing herein contained shall be construed to affect the right, title, or claim of any person to lands in the Territories of Orleans or Louisiana before the boards of commissioners established by the act intitled "An act for ascertaining and adjusting the titles and

claims to land within the Territory of Orleans and the District of Louisiana," shall have made their reports and the decision of Congress been had thereon.

[Section 1 of an act approved March 3rd, 1807, perpetuated by sec. 5596, Revised Statutes.]

#### THE PUBLIC HEALTH.

SEC. 4792. The quarantines and other restraints established by the health laws of any State respecting any vessels arriving in, or bound to, any port or district thereof, shall be duly observed by the officers of the customs revenue of the United States, by the masters and crews of the several revenue cutters, and by the military officers commanding in any fort or station upon the seacoast; and all such officers of the United States shall faithfully aid in the execution of such quarantines and health laws, according to their respective powers and within their respective precincts, and as they shall be directed, from time to time, by the Secretary of the Treasury. \* \* \*.

#### EXTRADITION.

SEC. 5275. Whenever any person is delivered by any foreign government to an agent of the United States for the purpose of being brought within the United States and tried for any crime of which he is duly accused, the President shall have power to take all necessary measures for the transportation and safe-keeping of such accused person, and for his security against lawless violence, until the final conclusion of his trial for the crimes or offenses specified in the warrant of extradition, and until his final discharge from custody or imprisonment for or on account of such crimes or offenses, and for a reasonable time thereafter, and may employ such portion of the land or naval forces of the United States, or of the militia thereof, as may be necessary for the safe-keeping and protection of the accused.

#### NEUTRALITY.

SEC. 5286. Every person who, within the territory or jurisdiction of the United States, begins or sets on foot, or provides or prepares the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding three thousand dollars and imprisoned not more than three years.

SEC. 5287. \* \* \* In every case in which a vessel is fitted out and armed, or attempted to be fitted out and armed, or in which the force of any vessel of war, cruiser, or other armed vessel is increased or augmented, or in which any military expedition or enterprise is begun or set on foot, contrary to the provisions and prohibitions of this title; and in every case of the capture of a vessel within the jurisdiction or protection of the United States as before defined; and in every case in which any process issuing out of any court of the United States is disobeyed or resisted by any person having the custody of any vessel of war, cruiser, or other armed vessel of any foreign prince or state, or of any colony, district, or people, or of any subjects or citizens of any foreign prince or state, or of any colony, district, or people, it shall be lawful for the President, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States or of the militia thereof for the purpose of taking possession of and detaining any such vessel, with her prizes, if any, in order to the execution of the prohibitions and penalties of this title, and to the restoring of such prizes in the cases in which restoration shall be adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or dominions of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace.

SEC. 5288. It shall be lawful for the President, or such person as he shall empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be necessary to compel any foreign vessel to depart the United States in all cases in which, by the laws of nations or the treaties of the United States, she ought not to remain within the United States.

#### INSURRECTION.

SEC. 5297. In case of an insurrection in any State against the government thereof, it shall be lawful for the President, on application of the legislature of such State, or of the executive, when the legislature can not be convened, to call forth such number of the

militia of any other State or States, which may be applied for, as he deems sufficient to suppress such insurrection; or, on like application, to employ, for the same purposes, such part of the land or naval forces of the United States as he deems necessary.

SEC. 5298. Whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory, it shall be lawful for the President to call forth the militia of any or all the States, and to employ such parts of the land and naval forces of the United States, as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.

SEC. 5299. Whenever insurrection, domestic violence, unlawful combinations, or conspiracies in any State so obstructs or hinders the execution of the laws thereof, and of the United States, as to deprive any portion or class of the people of such State of any of the rights, privileges, or immunities, or protection, named in the Constitution and secured by the laws for the protection of such rights, privileges, or immunities, and the constituted authorities of such State are unable to protect, or, from any cause, fail in or refuse protection of the people in such rights, such facts shall be deemed a denial by such State of the equal protection of the laws to which they are entitled under the Constitution of the United States; and in all such cases, or whenever any such insurrection, violence, unlawful combination, or conspiracy opposes or obstructs the laws of the United States, or the due execution thereof, or impedes or obstructs the due course of justice under the same, it shall be lawful for the President, and it shall be his duty, to take such measures, by the employment of the militia or the land and naval forces of the United States, or of either, or by other means, as he may deem necessary, for the suppression of such insurrection, domestic violence, or combinations.

Among the laws to be enforced under sections 5298 and 5299 are the following:

(1) Section 3995, Revised Statutes, which prohibits the obstructing or retarding the passage of the mail, and all other laws relating to the carrying of the mails.

(2) The following sections of an act approved July 2, 1890, entitled:

AN ACT to protect trade and commerce against unlawful restraints and monopolies.

SEC. 1. Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal.

Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 3. Every contract, combination in form of trust or otherwise, or conspiracy, in restraint of trade or commerce in any Territory of the United States, or of the District of Columbia, or in restraint of trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, is hereby declared illegal.

Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

(3) The following section of an act approved July 2, 1864, entitled:

AN ACT granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound, on the Pacific coast, by the Northern route.

SEC. 11. *And be it further enacted*, That said Northern Pacific Railroad, or any part thereof, shall be a post route and a military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

(4) The following section of an act approved July 1, 1862, entitled:

AN ACT to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes.

(The Union and Central Pacific Railway Companies.)

SEC. 6. *And be it further enacted*, That the grants aforesaid are made upon condition that said company shall pay said bonds at maturity, and shall keep said railroad and telegraph line in repair and use, and shall at all times transmit dispatches over said telegraph line and transport mails, troops, and munitions of war, supplies, and public stores upon said railroad for the Government, whenever required to do so by any department thereof, and that the Government shall at all times have the preference in the use of the same for all the purposes aforesaid. \* \* \*

(5) The following sections of an act approved July 27, 1866, entitled:

AN ACT granting lands to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast.

SEC. 11. *And be it further enacted*, That said Atlantic and Pacific Railroad, or any part thereof, shall be a post route and military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation.

SEC. 18. *And be it further enacted*, That the Southern Pacific Railroad, a company incorporated under the laws of the State of California, is hereby authorized to connect with the said Atlantic and Pacific Railroad, formed under this act, at such point near the boundary line of the State of California, as they shall deem most suitable for a railroad line to San Francisco, and shall have a uniform gauge and rate of freight or fare with said road; and in consideration thereof, to aid in its construction, shall have similar grants of land, subject to all the conditions and limitations herein provided, and shall be required to construct its road on the like regulations, as to time and manner, with the Atlantic and Pacific Railroad herein provided for.

SEC. 5316. It shall be unlawful to take any vessel or cargo detained under the preceding section [sec. 5315] from the custody of the proper officers of the customs, unless by process of some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, the President, or such person as he shall have empowered for that purpose, may employ such part of the Army or Navy or militia of the United States, or such force of citizen volunteers as may be necessary, to prevent the removal of such vessel or cargo, and to protect the officers of the customs in retaining the custody thereof.

#### GUANO ISLANDS.

SEC. 5577. The President is authorized, at his discretion, to employ the land and naval forces of the United States to protect the rights of the discoverer [of a guano island] or of his widow, heir, executor, administrator, or assigns.

**488.** Officers of the Army will not permit troops under their command to be used to aid the civil authorities as a posse comitatus, or in execution of the laws, except as provided in the foregoing paragraph.

**489.** If time will admit, applications for the use of troops for such purposes must be forwarded, with statements of all material facts, for the consideration and action of the President; but in case of sudden and unexpected invasion, insurrection, or riot, endangering the public property of the United States, or in case of attempted or threatened robbery or interruption of the United States mails, or other equivalent emergency so imminent as to render it dangerous to await instructions requested through the speediest means of communication, an officer of the Army may take such action before the receipt of instructions as the circumstances of the case and the law under which he is acting may justify, and will promptly report his action and the circumstances requiring it to the Adjutant-General of the Army by telegraph, if possible, for the information of the President.

**490.** In the enforcement of the laws, troops are employed as a part of the military power of the United States, and act under the orders of the President as Commander-in-Chief. They can not be directed to act under the orders of any civil officer. The commanding officers of troops so employed are directly responsible to their military superiors. Any unlawful or unauthorized act on their part would not be excusable on the ground of an order or request received by them from a marshal or any other civil officer.

**491.** Troops called into action against a mob forcibly resisting or obstructing the execution of the laws of the United States, or attempting to destroy property belonging to or under the protection of the United States, are governed by the general regulations of the Army and apply military tactics in respect to the manner in which they shall act to accomplish the desired end. It is purely a tactical question in what manner they shall use the weapons with which they are armed—whether by fire of musketry and artillery or by the use of the bayonet and saber, or by both, and at what stage of the operations each or either mode of attack shall be employed. This tactical question will be decided by the immediate commander of the troops, according to his judgment of the situation. The fire of troops should be withheld until timely warning has been given to the innocent who may be mingled with the mob. Troops must never fire into a crowd unless ordered by their commanding officer, except that single selected sharpshooters may shoot down individual rioters who have fired upon or thrown missiles at the troops. As a general rule the bayonet alone should be used against mixed crowds in the first stages of a revolt. But as soon as sufficient warning has been given to enable the innocent to separate themselves from the guilty, the action of the troops should be governed solely by the tactical considerations involved in the duty they are ordered to perform. They should make their blows so effective as to promptly suppress all resistance to lawful authority, and should stop the destruction of life the moment lawless resistance has ceased. Punishment belongs not to the troops, but to the courts of justice.

## ARTICLE LIII.

### CEMETERIES.

#### NATIONAL CEMETERIES.

**492.** National cemeteries, and the records pertaining thereto, are under the charge of the Quartermaster-General. All correspondence between his office and the officers of his department in charge thereof, and the civil engineers and agents especially employed in connection therewith, also the monthly reports of superintendents, will be forwarded direct to him.

#### BATTLE-GROUND CEMETERIES.

**493.** In order to secure, as far as possible, the decent interment of those who fall in battle, it is the duty of commanding generals to set apart a suitable spot near every battlefield, and to cause the remains of the killed to be there interred. Headboards will be placed at the graves, each bearing the number of the grave and the name of the person buried therein. A register of the burial ground will be preserved, in which will be entered the location of each grave and the descriptive numbers and names which appear on the headboards.

## POST CEMETERIES.

**494.** The commanding officer of every post situated on public lands of the United States will see that a suitable portion of such land is, when practicable, set apart and properly maintained for the burial of deceased officers and soldiers and their families, and of Government employees.

**495.** Post cemeteries will be suitably inclosed with a wall or fence of the best material available, and will be maintained by the labor of the garrison. Materials for the construction and repair of fences and headboards will be furnished by the Quartermaster's Department.

**496.** At each grave will be placed a headboard, plainly marked with a number, and with the name, company, regiment and date of death of the occupant, the number to correspond to the number in the record of interments. Headboards will be of well-seasoned wood, painted with three coats of white paint, four feet long, ten inches wide, one and three-eighths inches thick, and stand two feet out of the ground; the inscriptions in black letters one inch long.

**497.** Walks will be four feet wide, neatly rounded, and properly drained and graveled when the material is at hand. When practicable, good grass sod should cover the rest of the ground, including the graves, and native trees and shrubs will be preserved or planted for ornament and shade.

**498.** A record of interments will be kept by the quartermaster, which will be turned over by him, when relieved, to his successor or transmitted to the Quartermaster-General if the post be discontinued.

**499.** A report containing the names of persons buried during the calendar year, giving in each case number and locality of grave, date of death and burial, and in case of an officer or enlisted man, his rank, company and regiment or corps, will be forwarded to the Quartermaster-General.

## ARTICLE LIV.

## PRINTING.

## NEWSPAPER ADVERTISING.

**500.** Newspapers officially designated for publishing War Department advertisements are required to forward to the chief clerk sworn statements of the commercial rates charged by them to individuals, with their usual discounts, and of any changes made in the same. These statements will give the size of type used in the advertisements and show whether the charges are made by the inch, line, square, or folio, the rate for the first and subsequent insertions, and if by the square, the number of lines counted as such. Fractional parts of an inch, square, or folio will be paid for at proportionate rates. When charges are varied in accordance with amount of space occupied or period of publication, the statements will show the charges for from one square to the number of squares contained in a column, inserted from one to thirty times.

**501.** The heads of bureaus of the War Department will furnish officers charged with the publication of advertisements lists of newspapers designated by the Secretary of War, and the necessary blanks for compliance with these regulations.

**502.** Officers will observe conciseness in wording advertisements, and the matter, including the heading and the name and title of the signing



officer, must be set up close in one paragraph, without dash or blank lines, leading or display, and in type no larger than that ordinarily used in advertisements. At offices and depots where proposals are frequently invited it is not necessary to publish in each case the conditions usually imposed upon bidders and contractors; a statement that they will be furnished on application will suffice. The following is a sample of advertisement set up in accordance with these requirements:

PROPOSALS FOR FIRE HOSE.—Office of Building for State, War, and Navy Departments, Washington, D. C., Nov. 5, 1887.—Sealed proposals for furnishing and delivering unlined Linen Hose, Coupling, and Pipes, for west and center wings of building for State, War, and Navy Departments, in this city, will be received here until 12 m., Nov. 7, 1887, and then opened. Information furnished on application. Envelopes containing proposals should be indorsed "Proposals for Fire Hose," and addressed THOS. LINCOLN CASEY, Col. Engrs.

Advertisements for quartermaster's supplies will conform to the requirements of section 3716, Revised Statutes.

**503.** No official advertisement will be published in any newspaper except under special or general written authority of the Secretary of War. Special authority authorizes the publication of a given advertisement a specified number of times in a designated newspaper or newspapers. General authority is granted only to disbursing officers engaged in making frequent purchases and contracts, and authorizes the publication, for specified periods, in designated newspapers, of such advertisements for proposals as their duties may require. Due economy as to the number of newspapers in which an advertisement is to appear will be observed by officers having general authority to advertise, no greater number being used in any case than may be necessary to give proper and sufficient public notice. Requests for authority will be made upon prescribed forms.

**504.** Advertisements should not be inserted in Sunday editions unless specially authorized by the Secretary of War. In case of great emergency, the nature of which will be stated, authority to advertise may be requested by telegraph.

**505.** Advertisements in newspapers announcing sales of property or inviting proposals for furnishing labor or supplies, will, as a rule, allow thirty days to intervene between date of first publication and date of sale or opening of bids. If necessity require, a shorter period may be allowed, but no period of less than ten days will be designated except in case of emergency. No officer will authorize the publication of an advertisement beyond the morning of the day on which the sale or opening of bids is to occur, and no payments will be made for continuing such publication beyond the period authorized.

**506.** Ordinarily advertisements will be given six insertions in daily, or four in weekly, papers. When more than ten days are to intervene between the date of the first publication and the date of opening, those in daily newspapers inviting proposals will at once be given four consecutive insertions, and immediately before the date of opening, two consecutive insertions. In case of emergency, advertisements may be given one or more insertions, as time and circumstances permit.

**507.** Vouchers covering bills for advertising in newspapers must, prior to payment, be submitted to the Secretary of War. They will be prepared by the advertising officer, in duplicate, upon prescribed forms, and each

will have attached a copy of the advertisement cut from the newspaper, and an original bill of the publisher. No voucher will contain the account of more than one newspaper, nor for more than one advertisement. The number of squares, lines or folios, the number of insertions, and the amount, as charged by the publisher, will be entered on the vouchers. The number of insertions ordered will be stated in the proper column, and the column headed "Amount allowed" will be left blank. The receipt will be left blank and without signature until the voucher has been acted upon by the Secretary of War. Indorsed on the voucher will appear a copy of the authority of the War Department for the publication, stating its number. The accounts thus prepared will be forwarded by the certifying officer direct to the chief clerk of the War Department, with an indorsement describing the inclosures.

**508.** Accounts presented to officers for advertisements which they did not order, but which are shown to have been ordered by the Secretary of War to be published in the newspaper presenting the accounts for payment, will be prepared upon the official forms and transmitted to the chief clerk of the War Department in the same manner as other accounts for advertising. The following form of certificate will be used in such cases:

I certify that the annexed advertisement was cut from the newspaper named in the above account, and that it was inserted in that newspaper for the period stated.

Claims of publishers of official newspapers for advertisements copied from other papers without authority from the Secretary of War will not be paid.

**509.** In the event of an officer's death or removal, the outstanding bills for advertisements pertaining to his office will be prepared, certified, and forwarded by his successor, who is authorized to vary the form to correspond to the facts. Officers changing stations will leave with their successors complete records relative to unsettled accounts for advertising.

#### JOB PRINTING.

**510.** The printing required at the several department headquarters will be executed under contract, thirty days' notice, when practicable, being given of the opening of proposals. Bids will be invited and contracts made in accordance with the form of proposal and circular of instructions furnished by the Quartermaster's Department. The period of the contract will not extend beyond the end of the fiscal year in which made, and the contract will be submitted to the Secretary of War.

**511.** Vouchers covering bills for printing for department headquarters will, prior to payment, be submitted to the Secretary of War. They will be made out on prescribed forms, the printing to be so described as to enable computations to be readily reviewed according to the customary methods in use among book and job printers. A sample of the printing will accompany each bill, and on vouchers for work classed as "special" in the circular of instructions, the number of copies and rate per hundred will be stated, and on vouchers for other jobs the date of printing, number of copies, name and amount of type (number of thousand ems), number of tokens of press work, and rates per thousand ems and per token will be stated. The voucher will show grade and quantity of paper furnished by the printer and price charged. The vouchers thus prepared, with the certificate of the officer ordering the work, as to its necessity and propriety, will be forwarded direct to the chief clerk of the War Department, with a letter of transmittal describing the inclosures.

**512.** Printed letter and note headings for department headquarters will contain only the designation of the headquarters, the office to which the correspondence pertains, post-office address and blank date. Those for posts, regiments and schools of instruction will contain only the designation of the post, regiment or school, post-office address and blank date.

**513.** Necessary printing in special cases not covered by contracts for printing for department headquarters will, as far as practicable, be done by contract after competition, awards being made to the lowest responsible bidders. These contracts and all vouchers covering the service will also be submitted to the Secretary of War.

**514.** Officers will, as a rule, obtain all blank forms, blank books, etc., by requisition upon the heads of the proper staff departments.

## ARTICLE LV.

### PURCHASE OF SUPPLIES AND ENGAGEMENT OF SERVICES.

#### GENERAL PROVISIONS.

**515.** No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law, or is under an appropriation adequate to its fulfillment, except for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. (R. S., 3732.) No officer of the United States shall accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in case of emergency involving loss of life or destruction of property. (Act approved May 1, 1884.)

**516.** The labor of troops or Government employees, or Government means of transportation, will not be used to enable contractors to fulfill contracts, except in cases of manifest necessity, and then only on the written authority of the proper commander. Full deduction will be made for Government services when rendered.

**517.** Articles of foreign production or manufacture for the service of the United States will not be purchased abroad for importation without special authority from the Secretary of War.

**518.** Supplies, and services not personal, required in the various departments of the Army will be procured where they can be had cheapest, quality and cost of transportation in the case of supplies being considered :

1. After public notice inviting proposals for thirty days or more, or for ten days or more but less than thirty days, or for less than ten days, according to the needs of the service.

2. Without public notice.

Personal services are such as the individual employed or contracted with must perform in person directly under the control and supervision of an officer or agent of the Government, as distinguished from services the performance of which may be delegated by the contractor to others. Bills rendered for such services must contain no charge for material.

**519.** An officer charged with the duty of making a contract or purchase is responsible under the laws and regulations for his action. Permission or orders to make a contract or purchase without inviting competition will not justify the procedure, and will not be given.

## ADVERTISING FOR PROPOSALS.

**520.** In cases of large purchases a period of thirty or more days should intervene between date of first publication and of opening proposals. In small purchases, from ten to thirty days should intervene, and when the public exigency (constituting an emergency) does not permit ten days to intervene, the period should be for as many days as the circumstances will permit. Advertising for proposals by newspapers, in accordance with Article LIV, will be adopted when time permits, and the quantity or value of the purchase, or character of the services, in the opinion of the purchasing officer, will justify the expense. When notice of less than thirty days is given, advertising by circulars (sent to principal dealers in the localities where the supplies or services are desired, and posted in public places) is permissible. A purchasing officer may advertise by newspapers and circulars at the same time.

**521.** When advertisements or specifications thereunder do not announce fixed standards for articles required, they should be so worded as to permit bids to be considered item by item, and awards to be made for the most suitable articles of each kind offered.

**522.** Whenever it is intended to require that guaranties shall accompany proposals, that fact, the amounts in which the guarantors are to justify, and the periods to be allowed after the award for the execution of contract papers and bonds, will be stated in the advertisement or specification.

**523.** Advertisements inviting proposals will ordinarily be issued by the officer who is to make the contract or purchase; in special cases, if competent authority so direct, they may be issued by any other officer.

**524.** A copy of each advertisement and specification will be promptly forwarded by the officer issuing it, direct to the proper bureau of the War Department, together with all information required for a complete understanding of the necessity for the proposed contract or purchase, and in case of notice by circular, there will be indorsed on it the names of persons to whom sent, and if issued for a period of less than ten days, the reason why a longer period was not allowed will be stated. The forwarding of these notices at time of issuing may be dispensed with at the discretion of the chief of bureau to which the proposed contract or purchase pertains.

## PROPOSALS.

**525.** Information in regard to supplies or services for which proposals have been invited will be furnished on application to all persons desiring it, but no person belonging to or employed in the military service will render assistance in the preparation of proposals.

**526.** Bidders for supplies will be informed of the kind, quantity and quality of articles required, the place, time and rate of delivery, and conditions of payment. They will be furnished with such specifications as have been adopted, and will be permitted to examine the standard samples at the places where deposited.

**527.** Bidders for labor will be informed of the nature and extent of the services required, where they are to be performed, and the time allowed for performance. They will be furnished with, or allowed to examine, plans and specifications of all works upon which they desire to bid, and in general will be furnished with any information needed to enable them to act understandingly.

**528.** No person will be informed, directly or indirectly, of the name of any one intending to bid, or not to bid, or to whom information in respect to proposals has been given.

**529.** Proposals should be prepared in duplicate, or in triplicate if required, in strict accordance with the requirements of the advertisement or specifications; they should make specific reference to the advertisement and to any plans or specifications which may have been furnished. Each proposal should give the place of residence and post-office address of the bidder, with county, State or Territory, and should be signed by the bidder with his usual signature in full.

**530.** A proposal by a person who affixes to his signature the word "president," "secretary," "agent," or other designation, without disclosing his principal, is the proposal of the individual. That by a corporation should be signed with the name of the corporation, followed by the signature of the president, secretary or other person authorized to bind it in the matter, who should file evidence of his authority to do so. That by a firm should be signed with the firm name, either by a member thereof or by its agent, giving the names of all members of the firm. If an agent signs, he should file evidence of his authority to bind the firm.

**531.** In proposals, numbers and prices will be written in words, as well as expressed in figures; but when a great variety of articles, such as stationery, hardware, etc., is required, quantities and prices may, if the amounts involved are inconsiderable and the forms of proposals so indicate, be expressed in figures only. It will be sufficient if specifications are referred to and are declared to form part of the proposal.

**532.** Erasures or interlineations should be explained by the bidder, in the proposal, over his signature.

**533.** Guaranties, signed by two responsible parties, will be required to accompany proposals whenever, in the opinion of the officer authorized to make the contract, they are necessary to protect the public interests, and when so required, no proposal unaccompanied by a guaranty, made in manner and form as directed in the advertisement or specifications, will be considered.

**534.** The guaranty will be in duplicate, or in triplicate if required, and will be made out and executed with the necessary justification, in accordance with blank forms furnished by chiefs of bureaus. The certificate of sufficiency of guarantors will be executed in the manner prescribed in paragraph 563.

**535.** Proposals, with their guaranties, will be securely sealed in suitable envelopes, indorsed and addressed as required by the advertisement, and must be in the possession of the officer addressed before the hour appointed for the opening. No responsibility will attach to an officer for the premature opening of any proposal not so indorsed as to clearly show its character.

**536.** When an advertisement calls for proposals to furnish labor or supplies at more than one place, a separate proposal will be made for performance at each place, but all may be submitted in the same envelope.

**537.** Proposals received prior to the time of opening will be securely kept. The officer whose duty it is to open them will decide when that time has arrived, and no proposal will thereafter be received.

**538.** Before the time for opening, any bidder may, without prejudice, withdraw from competition by giving written notice of his decision to the officer holding his bid, and when his bid is reached at the opening it will be returned to him or his authorized agent unread.

**539.** Proposals will be opened and read aloud at the time and place appointed for the opening (bidders having the right to be present), and each proposal will then and there be numbered and entered on an abstract, the articles being entered in the order in which they are to appear on the returns. Articles to be procured by contract will be abstracted separately from those to be procured on written acceptance. If the number of proposals is large, those relating to specific articles or classes of articles may be entered on separate abstracts. The number of each proposal, with the quantities and prices of articles offered and dates of delivery, will appear in the proper columns, and a copy of the advertisement or notice, under which the proposals are received, with a copy of the specifications if any, will be attached to the upper left-hand corner of the abstract. When two or more sheets are used for the abstract they will be properly fastened together and paged on the upper right-hand corner.

**540.** Proposals will be separately folded and numbered as vouchers to the abstract. They will not be fastened together nor to contracts, except to the copy required to be sent to the Returns Office.

**541.** When proposals are received at a post, unless by an officer authorized to make the award, as in cases involving small expenditures, they and the abstract will be forwarded to department headquarters, with the recommendations of the receiving officer and the post commander as to the person to whom the award should be made. When a purchasing officer, acting under the direct supervision of a chief of bureau, has invited and received proposals, he will make the award and execute the necessary papers, unless otherwise directed by the chief of bureau.

#### AWARDS.

**542.** When proposals for supplies for the general service of a department are received at its headquarters, the chief officer of that branch of the staff to which they pertain will submit them to the department commander, and under his supervision, will make the award and execute the necessary papers, unless under existing orders the action of higher authority is necessary.

**543.** Except in rare cases, when the United States elects to exercise the right to reject proposals, awards will be made to the lowest responsible bona fide bidder whose proposal for furnishing a proper article is not unreasonable.

**544.** Slight failures on the part of a bidder to comply strictly with the terms of an advertisement should not necessarily lead to the rejection of his bid, but the interests of the Government will be fully considered in making the award.

**545.** Articles of domestic production or manufacture will be preferred to those of foreign origin, cost and quality being equal.

**546.** When no guaranty is required, bidders must, if called upon by the awarding officer, furnish satisfactory evidence before the award is made of their ability to carry their proposals into effect.

**547.** The accepted quantity and price will be noted on the abstract of proposals in the column of "Remarks," opposite the name of the bidder. If a bid is rejected, and one at a higher price accepted, the reason for the rejection will be written in the column of remarks. When contracts are made that fact will be stated in the abstract.

#### ABSTRACTS OF PROPOSALS.

**548.** A copy of each abstract, in those cases where contracts are to be entered into, made as directed in paragraphs 539, 541, and 547, accompanied by a duplicate of each proposal received, will, as soon as considered, be forwarded to the proper bureau of the War Department. When the purchase of supplies or engagement of services is made through written proposal and written acceptance only, the abstract and proposals need not be forwarded unless specially directed.

#### METHODS OF PURCHASE.

**549.** A purchase of supplies or engagement of services will be made:

1. By contract, "reduced to writing and signed by the contracting parties with their names at the end thereof." Agreements of this character only are termed "contracts" in these regulations.

2. By written proposal and written acceptance.

3. By oral agreement.

When delivery or performance does not immediately follow an award or bargain, the first method will be used; when delivery or performance immediately follows an award or bargain, the second method may be resorted to.

**550.** Contracts will be made on forms furnished by the chiefs of bureaus, in cases where such forms are applicable, and those forms will be modified only to such extent as is necessary. All conditions will be stated therein as fully and clearly as possible.

**551.** Contracts will be made in the name of, and will be signed by, the officer designated by the chief of bureau to which the contracts pertain. They will not be made at posts unless ordered by superior authority, and they will not be so ordered unless the stores or services required, of proper quality or kind, can be procured as cheaply there as elsewhere.

**552.** When a contract is entered into with a partnership, the individual names of the partners should be given in the body of the instrument, with the recitation that they are partners composing a firm, which should be named, and it may be signed in the name of the partnership by one of the partners, who will append his own signature as one of the firm.

**553.** Contracts executed by a corporation should have the name of the corporation in the body of the instrument, and should be signed by the president, secretary or other person acting in its behalf, who should sign the corporate name and his own. The contract should be executed under the corporate seal, when the corporation has a seal, and evidence should be furnished also under the corporate seal as to the official character of the person by whom it is executed, and that he is duly authorized to execute the same in behalf of the corporation. This evidence may be a properly verified extract from the articles of incorporation or from the by-laws or from the minutes of the board of directors.

**554.** All contracts will be executed in quintuplicate. One is for the contractor, one for the contracting officer, one for the Auditor for the War Department, one for the head of the bureau to which the contract pertains and one for the Returns Office of the Interior Department.

**555.** Upon receipt of the contract in quintuplicate at the proper bureau it will be examined, and if found correct, approved. Should any illegality be discovered, it will be submitted to the Secretary of War.

**556.** The copy intended for the Returns Office will be sent thereto by the officer making and signing the same, as soon as possible after the contract has been made and approved, and within thirty days, together with all bids, offers, and proposals made by persons to obtain the contract, and with a copy of the advertisement; all of which will be fastened together by a ribbon and seal, and numbered in regular order, with the affidavit of the contracting officer appended in the following form :

I do solemnly swear that the copy of contract hereto annexed is an exact copy of a contract made by me personally with ————; that I made the same fairly, without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said ———— or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided.

**557.** In case of a purchase made by an officer of the Quartermaster's or Subsistence Department after public notice of ten days or more, the copy intended for the Auditor for the War Department must be accompanied by a copy of the advertisement, a certificate of the contracting officer as to the time and manner of its publication, and his certificate that the award was made to the lowest responsible bidder for the best and most suitable article.

**558.** All papers relating to or affecting the performance of any contract will finally be transmitted to the bureau of the War Department to which the contract pertains, except as provided in paragraph 704.

#### CONTRACTORS' BONDS.

**559.** Bonds for the faithful performance of contracts for supplies or service will be required in the following cases :

1. When the consideration is \$3,000 or more, whatever may be the length of time required for the full performance of the contract.
2. When the consideration is over \$250 but less than \$3,000 and the contract can not be fully performed within thirty days from its date.

Bonds may be exacted or, in the discretion of the respective chiefs of bureaus concerned, waived in the following cases :

1. When the consideration is less than \$3,000 and the contract is to be fully performed within thirty days from its date.
2. When the consideration is not more than \$250, whatever may be the length of time required for full performance.
3. When the contract is for furnishing meals to recruits and recruiting parties.

The amount of penalty in a contractor's bond will be fixed by the contracting officer, and will not be less than one-tenth nor more than the full amount of the consideration of the contract.

Nothing in this paragraph is to be construed as authorizing the waiving of bonds required under paragraph 565.



**560.** When bonds for the faithful performance of contracts are exacted, they will be made and executed with the necessary justification and certification of sufficiency of sureties, in accordance with the instructions printed on the blank forms of contractors' bonds furnished by the chiefs of bureaus. Such bonds must be executed by the contractor as principal, and by a surety company, or by at least two sufficient and responsible persons who must be citizens of the United States, as sureties. Each must affix to his signature a seal, and each signature must be attested by at least one witness. When practicable there will be a separate witness to each signature.

**561.** A company duly incorporated under the laws of the United States, or of any State, and legally authorized to guarantee bonds, may be accepted as surety, under the conditions prescribed in Article LVI. A firm, as such, will not be accepted as surety, nor a partner for a copartner or firm of which he is a member. Stockholders who are not officers of a corporation may be accepted as sureties for such corporation.

**562.** A guarantor, or the guarantors, to a bidder's guaranty may be accepted as surety, or sureties, to the bond of the same person as contractor, provided such guarantor or guarantors are able to justify as required for the bond.

**563.** The sureties, if non-corporate guarantors, must jointly justify in double the amount of the penalty. The affidavit must be taken before a person authorized by the laws of the United States, State, Territory or District, to administer oaths. Justification will be followed by the certificate of a judge or clerk of a United States court, a United States district attorney, United States commissioner, a judge or clerk of a State court of record with the seal of said court attached, that the guarantors or sureties are known to him, and that, to the best of his knowledge and belief, each is worth, over and above all debts and liabilities, the sum stated in his affidavit of justification. If found necessary, separate certificates may be furnished as to each guarantor or surety.

**564.** Contractors' bonds will be executed in duplicate, one to accompany the copy of the contract which is sent to the Auditor for the War Department, and the other retained by the officer who makes the contract.

**565.** When a contract is entered into for the construction of any public building, or the prosecution and completion of any public work, or for repairs on any public building or public work, the contractor will be required, before entering upon performance of the same, to include in the bond given for the faithful performance of the contract the further obligation that he will promptly make payments to all persons who supply him with labor and materials for the prosecution of the work provided for in such contract. A certified copy of this contract and bond will be furnished to any person who has supplied such labor or materials, upon his application to the War Department, accompanied by an affidavit that the labor or materials have been supplied by him and have not been paid for by the contractor.

#### ORAL AGREEMENT.

**566.** Subject to the provisions of paragraph 549, supplies may be procured and services engaged by oral agreement, in the manner common among business men, in the following cases :

1. When the public exigencies require immediate delivery of supplies or performance of services, and there is no time to advertise by newspapers or circulars.

2. When prices of articles are fixed and uniform, and no competition can be had.

3. When proposals have been invited and none have been received.

4. When proposals are above the market price or otherwise unreasonable.

5. When the aggregate amount of a purchase, including all items that can reasonably be consolidated, does not exceed \$200, if the interests of the Government will be promoted by dispensing with public notice or advertisement.

6. When "exceptional articles" are purchased by the Subsistence Department, or medical supplies by the Medical Department.

**567.** Before making a purchase by oral agreement the officer will inform himself concerning prevailing prices by inquiry among principal dealers in his locality.

**568.** Open purchases for the military service on or near an Indian reservation will be made as far as practicable from the Indians, when fair and reasonable rates, not exceeding the market prices in the locality, can be obtained.

#### REPORTS OF PURCHASES.

**569.** An officer of the Quartermaster's or Subsistence Department who makes a purchase of supplies, or an engagement of services not personal, after public notice of less than ten days, or an officer of any department (except the Medical Department) who makes a purchase of supplies or engagement of services under paragraph 566, will transmit with his monthly money accounts, to the head of the bureau to which the matter pertains, a report setting forth in detail the quantity, price, name of seller, etc., of the supplies so purchased, or the nature of the services so engaged, and the reasons for the mode adopted in each case. "Exceptional articles" purchased by the Subsistence Department will be reported as such, without items or reasons for purchase. The head of the bureau will submit these reports to the Secretary of War.

#### MARKING SUPPLIES BY CONTRACTORS.

**570.** Contractors furnishing supplies will mark and distinguish them with their names and with such other designations as shall be directed by the purchasing officer.

### ARTICLE LVI.

#### BONDS OF DISBURSING OFFICERS, BIDDERS AND CONTRACTORS.

**571.** Disbursing officers of the Quartermaster's, Subsistence and Pay Departments, and all storekeepers, before entering upon the duties of their respective offices, will give bonds as required by law. Chiefs of bureaus will see that such bonds are examined as to sufficiency of sureties at least once in two years, and renewed once in four years, or more frequently if necessary.

**572.** Sureties to bonds given by disbursing officers will be bound jointly and severally for the whole amount expressed therein, and must satisfy the Secretary of War that they are worth, jointly, double such amount, each surety making affidavit that he is worth that sum over and above his debts and liabilities, and stating in the affidavit his place of residence.

**573.** When the principal of the bond is a corporation, a copy of its charter or articles of incorporation, authenticated by the secretary of state or

other officer having authority, will be attached to the bond. A copy of the record of the organization of the corporation and of the selection and qualification of the officers executing the bond in its behalf, as well as a copy of the record of the proceedings of the board of directors or other governing body of the corporation, showing their authority to execute the same—all duly certified by the custodian of such records, under the seal of the corporation, to be correct copies—will be attached thereto.

**574.** Before a corporation will be accepted as surety there must be filed with the Secretary of War a copy of its charter or articles of incorporation, and of all laws that may be necessary or which may be required in addition to the charter to show that it has power to enter into the obligation, these copies to be authenticated by the secretary of state or other officer having authority; also a copy of the record of the organization of the corporation and of the selection and qualification of the officers, as well as a copy of the by-laws or other records authorizing certain officers of the corporation to execute bonds in its behalf, these copies to be duly certified by the custodian of such records, under the seal of the corporation, to be correct copies. There will also be filed an itemized statement of the financial condition of the company showing its assets and liabilities, and a statement of the amount of its existing obligations as surety, duly certified under the corporate seal by the custodian of the records of the corporation to have been compared by him with the records and found to be correct. These papers will not be attached to the bond. All papers specified and a statement of the financial condition of the company will be furnished as often as the Secretary of War may require; provided, however, that the financial statement will be furnished semiannually, without being called for; and the evidence as to the selection and qualification of the officers of the company will be furnished immediately after their election; and whenever any change is made in their authority to execute bonds, evidence thereof will be immediately furnished.

**575.** In case of financial embarrassment, failure, or other disqualifying cause on the part of the surety to a bond, the Secretary of War will require the bond to be renewed to his satisfaction, upon notification to the principal.

**576.** Before a corporation will be accepted as surety it must obtain authority in writing from the Attorney-General to do business under the act of August 13, 1894, and must file with the Secretary of War a copy of such authority, duly certified as a true copy by the Department of Justice.

**577.** Before a corporation will be accepted as surety on the bond of a principal residing in a State or Territory other than the one in which it was incorporated, it must comply with the requirements of section 2 of act of August 13, 1894, as to the appointment of an agent on whom process may be served, etc., and must file with the Secretary of War a copy of the power of attorney to such agent, authenticated under the seal of the United States district court for the judicial district within which the agent resides, or the certificate of the Department of Justice that the company has complied with the provisions of section 2 of said act of August 13, 1894.

**578.** The principal and surety must sign and seal the bond. The corporate seal of the corporation must be affixed to the bond by some person duly authorized, who must also affix the name of the corporation to it, followed by his own signature and official designation written after the word "by." The names and places of business of the principal and surety must be written in the body of the bond.

## ARTICLE LVII.

## MONEY ACCOUNTABILITY.

## PUBLIC MONEYS.

**579.** The use of moneys for purposes other than those for which appropriated, liquidation of liabilities of one fiscal year by use of moneys appropriated for another, and expenditures in a fiscal year of any sum in excess of appropriations for that year, or involving the Government in any contract for future payment of money in excess of appropriations, except as authorized by paragraph 515, are prohibited.

**580.** Chiefs of bureaus will see that funds in the hands of a disbursing officer are limited to his requirements for a brief period, and that as much as practicable of public moneys placed to his credit is kept with the Treasurer or an assistant treasurer of the United States. Estimates for funds should state the most convenient places of deposit.

**581.** Lists of national-bank depositories, designated for the use of disbursing officers, with the amounts of securities filed by each with the United States Treasurer, will be published from time to time in orders from the Adjutant-General's Office.

**582.** Where there are two or more designated depositories in the same place, credits should be so regulated by each disbursing officer there stationed as to maintain, as far as possible (by deposits, disbursements and transfers), a proportion between the amount of his credit at each depository and the amount of securities filed by it with the United States Treasurer. Transfers from one depository to another are not authorized, except through the Treasury Department.

**583.** When an officer disburses money in different capacities, his deposits and accounts will be kept distinct, according to the bureaus to which they pertain.

**584.** Public moneys subject to disbursement coming into the hands of an officer from any source must be promptly placed by him to his credit with the Treasurer or an assistant treasurer of the United States, or a duly designated depository, or transferred to a disbursing officer of that branch of the public service to which the money pertains; in either of which cases a receipt will be obtained. Exceptions to this rule are allowed where a disbursing officer has been specially authorized by the Secretary of War to keep in his personal possession, at his own risk, the public moneys which have been intrusted to him for disbursement, and money in hand may be disbursed at once without being placed in depositories if payments are due. The amount of subsistence funds which a commissary may keep in his personal possession, at his own risk, is stated in orders from the War Department.

**585.** A disbursing officer ceasing to act as such and having public funds to his credit in any office or bank will at once inform the Secretary of the Treasury stating what checks drawn against the same are still outstanding and unpaid.

**586.** All amounts of money held at the end of each fiscal year by the Treasurer, an assistant treasurer or a designated depository, credited to a disbursing officer whose account has remained unchanged, either by deposit or payment, for the space of three years, shall be covered into the Treasury, to be placed to the credit of such officer if it be found that he is entitled to the credit.

## DISBURSING OFFICERS.

**587.** No officer disbursing money for the military service, or directing the disbursement thereof, shall be concerned individually, directly or indirectly, in the purchase or sale of any article intended for, used by, or pertaining to the department of the public service in which he is engaged.

**588.** No officer or clerk of a disbursing officer shall be interested in the purchase of any soldier's certificate of pay due, or any other claim against the United States.

**589.** Officers or agents in the military service will not purchase supplies for the Government from any other person in the military service, nor contract with any such person to furnish supplies or service to the Government, nor make any Government purchase or contract in which such person shall be admitted to share or receive benefit.

**590.** If any disbursing officer shall bet at cards or any game of hazard his commanding officer will suspend his functions, require him to turn over all public funds in his keeping, and will immediately report the case to the proper bureau of the War Department. He will also report the case to the department commander, who will at once convene a court-martial for the trial of the officer.

**591.** Every disbursing officer, in opening his first account and before issuing any checks, will furnish the depositary on whom the checks are to be drawn with his official signature, duly verified by some officer whose signature is known to the depositary.

**592.** For every Treasury draft received by a depositary to be placed to the official credit of a disbursing officer, and for every deposit of funds made by the officer to his official credit, subject to payment of his checks, a receipt, numbered in serial order, and giving the place and date of issue, will be furnished him by the depositary, setting forth the character of the funds, i. e., whether coin or currency. If the credit is made by a disbursing officer's check transferring funds, the essential items of the check will be enumerated, and if by a Treasury draft, the warrant number. The title of the officer will be expressed, and the title of the account will also show for what branch of the public service it is kept. The receipt, called "a disbursing officer's receipt," will be retained by the officer in whose favor it is made.

**593.** An officer is not authorized to insure public money or property, and he will not be allowed credit for any expense paid for the collection of money on checks, except as provided for military attachés serving abroad.

## TRANSFERS.

**594.** Public funds will, in general, be transferred as follows: The officer making the transfer will draw his check directing the depositary to place a stated amount to the official credit of the officer named therein. The check will be sent to the depositary and not to the officer in whose favor it is drawn. If it is necessary that the officer to whom the funds are transferred shall receive them without delay, the transferring officer may draw his check and transmit the same direct to the officer requiring them. In either case, invoices of the funds transferred are sent to the receiving officer.

**595.** Funds will not be transferred from one appropriation for the use of another, by borrowing or otherwise.

## CHECKS.

**596.** A disbursing officer may draw his check in favor of himself "or bearer" for making payments of amounts not exceeding \$20; for making payments at a distance from a depository; or for making payments of fixed salaries due at a certain period, if the check be not drawn more than two days before the salaries become due. In all other cases checks will be made payable to "order" or "bearer," and will be drawn only in favor of the persons, firms or corporations, by name, to whom the payments are to be made.

**597.** Each check of a disbursing officer must state on its face the object of the expenditure, and in case of payment to officers or enlisted men, the period covered by the payment. Such statements must be brief but clear, as, for instance, "pay," "pay roll," or "payment of troops," adding the post or station; "purchase of subsistence" or of other supplies, naming them; "on contract for construction," mentioning the fortification or other public work for which the payment is made; "payments under \$20," etc. Payment is refused on all checks where this requirement is disregarded, and report of the fact made to the Treasury.

**598.** Disbursing officers will not pay an account until it is due. In cases of contracts for the performance of service or delivery of articles, payment will not exceed the value of services rendered, or articles actually delivered.

**599.** When an original check of a disbursing officer, not exceeding \$2,500 in amount, has been lost or destroyed, a duplicate check may be issued by him, after six months and within three years of the date of the original, upon the owner filing with him the notice and proof of loss and the indemnity bond required by sections 3646 and 3647, Revised Statutes, and act of February 16, 1885. In case the disbursing officer who issued the original check is no longer in the service, the notice and proof of loss, and the indemnity bond will be sent to the Secretary of the Treasury prior to the issue of a duplicate check. The proper accounting officer of the Treasury will state an account in favor of the owner of said check and charge the amount thereof to the account of such officer. Instructions for the execution and use of the affidavit and bond, and the issue of the duplicate check, accompany the blank form furnished by the Treasury Department.

**600.** In case of the death, resignation or removal from active service of a disbursing officer, any check previously drawn by him, and not presented for payment within four months of its date, will not be paid until its correctness shall have been attested by the Secretary or Assistant Secretary of the Treasury.

**601.** A check drawn by a disbursing officer still in active service, presented before it shall have been issued three full fiscal years, will be paid in the usual manner by the office or bank on which it is drawn, and from funds to the credit of the drawer.

**602.** At the close of each fiscal year every disbursing officer will make a return to the Secretary of the Treasury, through the proper channels, of all outstanding checks issued by him three years or more prior thereto, giving the names of payees and their residences when known, the purposes for which and places on which the checks were drawn, with amounts, numbers and dates of same, and the numbers of the vouchers received therefor.

**603.** At the close of each fiscal year all amounts remaining to the credit of a disbursing officer, represented by checks or drafts drawn upon the Treasurer, an assistant treasurer, or any designated depository, three or more years prior thereto, will be covered into the Treasury and there stand to the credit of the payees in an appropriation account denominated "outstanding liabilities."

**604.** A check which has been issued for a longer period than three full fiscal years will be paid only by the settlement of an account in the Treasury Department. For this purpose the check will be transmitted, through the proper channels, to the Secretary of the Treasury.

#### OFFICIAL CHECK BOOKS.

**605.** Official check books are issued by the Treasurer and assistant treasurers of the United States direct to disbursing officers who have public money on deposit with them. Rules for issue, transfer, etc., of these check books accompany each book.

**606.** Official check books on national bank depositories are furnished by chiefs of bureaus, by whom records of blank checks issued will be kept and to whom unused checks will be returned. Rules for issue, transfer, etc., of these check books accompany each book. In making payments, only official checks will be used.

**607.** Mutilated official checks will be forwarded to the depository to which they pertain, and a record of the date of transmission made on the stub.

#### CERTIFICATES OF DEPOSIT.

**608.** Public moneys are transferred to the general Treasury by being deposited to the "credit of the Treasurer of the United States," either at the Treasurer's office, or at the office of one of the assistant treasurers, or at one of the designated depositories. All "miscellaneous receipts on account of proceeds of Government property" (paragraph 615) must be deposited; also, when required by chiefs of bureaus to which the funds pertain, the public moneys in the possession of or to the credit of disbursing officers or others. For each deposit made a "certificate of deposit" in duplicate will be given, showing the full name, rank, regiment or corps of the depositor, and to what appropriation or fund the amount belongs, the depositor giving the necessary information when making the deposit.

**609.** The "originals" of all certificates of deposit will, immediately upon their issue, be forwarded direct to the Secretary of the Treasury by the depositors (not the depositories), who, before transmitting them, will see that their amounts correspond to the sums actually deposited. Each certificate forwarded will contain or be accompanied by a statement showing distinctly the source from which the money was derived, i. e.:

1. If a balance of funds for disbursement, the appropriation and fiscal year will be correctly named.

2. If in refundment of an overpayment, when, by whom and upon what voucher the overpayment was made.

3. If from stoppages on pay rolls on account of loss of or damage to property by employees, or on account of sales to them, for which property the depositing officer is himself responsible, the character of the property and the date of loss or sale will be given and a reference made to the officer's property voucher accounting for the same.

4. If from stoppage on account of loss, damage or sale of property for which an officer other than the depositing officer is responsible, the name of the responsible officer will be given, with a list of persons from whom deductions were made, stating character of property and amount deducted in each case.

5. Deposits of funds received from sales to officers and enlisted men, or on account of losses or forfeitures, will be fully explained.

**610.** A disbursing officer of one staff department making stoppages on account of the funds or property of another staff department will, in the absence of special instructions to the contrary, deposit the funds so received, and not leave them to be transferred upon the settlement of his accounts at the Treasury.

**611.** Nothing in the two preceding paragraphs will be construed to affect the existing system of depositing collections by paymasters of the Army.

**612.** The number, date and amount of the certificate of deposit, together with the specific appropriation, if named, will be noted on the account current upon which the depositor desires to be credited with the money deposited. Certificates of deposit will not be filed with accounts current. Officers will state in such accounts dates of deposits and name and location of depository.

**613.** Certificates of deposit must be recorded in the proper bureaus of the War Department. The "originals," upon their receipt at the Treasury, are immediately forwarded to the Secretary of War, who refers them to the proper bureaus to which the deposits pertain for verification and designation of the appropriation.

#### PROCEEDS OF SALES.

**614.** Moneys received for stores, materials or supplies (except subsistence stores) sold to officers, enlisted men, or exploring or surveying expeditions authorized by law will be deposited to the credit of the Treasurer of the United States, and respectively revert to the appropriation out of which originally expended. Proceeds of sales of useless ordnance material are expended under conditions prescribed by law. Proceeds of sales of subsistence supplies are immediately available for the purchase of fresh supplies.

**615.** The proceeds of sales of all public property, the disposition of which is not provided for by the preceding paragraph, after the expenses of sale have been deducted, will be deposited to the credit of the Treasurer of the United States as "Miscellaneous receipts on account of proceeds of Government property," for which certificates of deposit will issue, showing the name, rank, regiment or corps of the depositor, the nature of the deposit, the kind of property and the bureau to which it pertained.

**616.** The transfer of public property from one bureau or Department to another is not regarded as a sale. If money is received therefor, it may be used to replace such stores and will be reported accordingly.

#### APPROPRIATIONS.

**617.** The fiscal year ends on June 30. The quarters of the fiscal year are as follows: First quarter, July 1 to September 30; second, October 1 to December 31; third, January 1 to March 31; fourth, April 1 to June 30.



**618.** Chiefs of bureaus, in notifying officers of remittances, will inform them of the amount remitted under each head of appropriation, giving the designation by fiscal years when necessary.

**619.** Accounts current, abstracts and vouchers, including transfers and refundments, will have noted in red ink on the face and also in the brief on the back the fiscal year to which the funds pertain.

**620.** No account current, except in the Pay Department, will contain accounts of different years; and no item will be entered thereon unless it pertains to the fiscal year to which the account belongs.

**621.** Money received and disbursed under the appropriation for contingent expenses of the Army will be accounted for by officers authorized to disburse it, on special accounts current, in which funds belonging to other appropriations will not be entered.

**622.** When an article purchased is not named in the appropriation act, the purpose for which it is intended determines the appropriation from which payment is made.

**623.** All public funds on hand at the close of a fiscal year, except those required to pay outstanding liabilities incurred during such year (a schedule of which will if possible accompany the last account current for the year) and "no limit" appropriations, will be deposited to the credit of the Treasurer of the United States and the disbursing officer's account closed by a credit for such deposit.

**624.** Balances retained after the close of the fiscal year for the purpose of paying outstanding liabilities, will be carried to a "supplemental account current" for the fiscal year to which the funds pertain.

**625.** When disbursements are made from such balances, accounts will be rendered as "supplemental accounts" for the fiscal year to which the funds pertain. Admitted errors, to be refunded, except in the Pay Department, will be taken up on an account current for the fiscal year in which the errors occurred.

#### ACCOUNTS CURRENT.

**626.** Accounts current will be made in duplicate; one copy, accompanied by abstracts and vouchers, will be forwarded to the chief of the bureau, and the other retained by the officer. The forms of accounts current and abstracts furnished by the chief of the bureau in which the officer is serving will be used.

**627.** Disbursing officers who render accounts which eventually pass to the Treasury Department for settlement are required to prepare their accounts, with abstracts and vouchers complete, and deposit them in the post-office, addressed to the chief of the bureau of the War Department to which they pertain, on or before the 10th day of each month. Irregularities in the mail service or want of blank forms will not excuse a failure to comply with this paragraph. When vouchers are not sent with the account to which they belong, but are subsequently rendered, suitable explanation will be made.

**628.** Original vouchers will, if possible, accompany the accounts; copies will not be accepted unless duly certified and accompanied by satisfactory evidence of the loss or destruction of the originals, or that their retention is indispensable to the performance of duty by an officer.

**629.** With the accounts will be forwarded all orders of commanding officers and all other papers upon which the officer accountable relies to relieve himself from responsibility.

**630.** When an officer is relieved from duty in a staff department at any station he will certify outstanding debts if any, to his successor, and transmit a list of the same to the head of the proper bureau. Unless otherwise ordered, he will turn over to his successor the public money, property, books and papers pertaining to the service from which he is relieved.

#### MONEY VOUCHERS.

**631.** Vouchers will ordinarily be made in duplicate, or, if required, in triplicate, and the number made will be stated on each copy.

**632.** The correctness of the facts stated on a voucher and the justness of the account must be certified by an officer.

**633.** Every voucher in support of a payment for supplies, or for services other than by the day or month, whether it be made pursuant to a formally prepared contract, an accepted bid, or a purchase without advertising (unless it comes within the excepted cases provided for in the following paragraph), must have attached to it an original bill furnished by the creditor, dated and signed by him or his authorized representative, giving his place of business or residence, and stating (if for supplies furnished) the date of the purchase, the quantity and price of each article, and the amount or (if for services other than by the day or month) the character of the services, the date or dates on which rendered, and the amount. A voucher so accompanied will be made out in favor of the creditor, giving his address, and may state the account in general terms, with the aggregate amount only extended, and the words "as per bill hereto attached," or words of like import, added. Where a purchase under an accepted bid after public notice is made in the Quartermaster's or Subsistence Department, the voucher, besides being subject to the foregoing requirements, will be accompanied by a copy of the public notice, the accepted bid and a copy of the letter accepting the bid, and must contain a certificate that the award was made to the lowest responsible bidder for the best and most suitable articles, and that the needs of the service required the purchase to be made in the manner indicated by the public notice. Where papers relating to two or more vouchers are required to accompany accounts, they must be filed with the first voucher paid, and reference thereto made on the other vouchers. A voucher for services by the day or month must state the nature of the service, the inclusive dates of service, the time for which payment is made, the rate of pay and the amount.

**634.** When a creditor is unable for any cause to make out his bill, or to have it made out, the disbursing officer must set forth on the voucher all the details of the account, as required for the bill by the preceding paragraph, and must give reasons in full on the voucher why a bill is not furnished. Original bills need not be attached to vouchers in the following cases, viz: Where, under a contract, quantities delivered or amounts due are determined by a duly authorized inspector, and his certificate as to the facts is filed with the voucher to which it pertains; where a bill of lading or transportation request accompanies a voucher for transportation services performed under public tariffs; where a voucher is for telegraphic services

at rates fixed by the Postmaster-General ; where a voucher is for services by the day or month, or where a creditor makes out his bill on a blank form of voucher and certifies to its correctness.

**635.** Money amounts will be expressed in terms of dollars and cents. When a fraction of a cent less than one-half occurs in the footing of a voucher it will be disregarded. If the fraction be one-half or greater it will be reckoned as a cent.

**636.** A voucher for a purchase, or for services not personal, must have expressed on its face, immediately below the statement of the account, the mode of purchase or engagement, using therefor one of the following notations :

1. Under contract, dated ———, 18 .
2. Under public notice, dated ———, 18 .
3. Under oral agreement, without advertising.

**637.** The giving or taking of receipts in blank for public money is prohibited.

**638.** A voucher for funds disbursed will, before being signed by a public creditor, be made out in full, with the place of payment and the name, rank, regiment or corps of the paying officer entered in the receipt, and the exact amount of money written out in words in the receipt. When vouchers are sent by mail for signature the date in the receipt will be left blank, and the check in payment will not be drawn until the vouchers are returned properly signed, when the date of the check will be added to the receipt.

**639.** Invoices of and receipts for funds transferred will state place and date of transfer, the name, rank, regiment or corps of the officer from whom the money is received, the kind of funds transferred, and the amount transferred under each head of appropriation. If the transfer is for the correction of errors, whether arising upon the settlement of accounts or otherwise, the facts will be noted in detail on both invoice and receipt. The receiving officer or agent will indorse upon the invoice the exact date of the receipt given by him and will file it with the account current on which he acknowledges receipt of the funds. Any discrepancy as to the appropriation, fiscal year or amount, which may exist between the invoice and receipt when the latter is properly made out will be noted and explained on both invoice and receipt by the officer or agent receiving and receipting for the funds.

**640.** Vouchers for payment made, and invoices and receipts for money transferred, will have noted upon them the number, date, and amount of checks given, and the depository on which drawn. If payment is made by currency in part or in whole, the facts will be stated.

**641.** A receipt to a voucher which has been made out in favor of a firm by name must be signed in the firm name by one of the partners known by the disbursing officer to be a member of the firm, when the disbursing officer has no notice of any arrangement among the partners that such member has no authority to bind the firm. The receipt should be signed in the firm name by the partner, who should append his own signature as "one of the firm." A receipt signed for a firm or individual by a clerk or other person will not be accepted.

**642.** A receipt to a voucher which has been made out in favor of a corporation by name must be signed by the treasurer or other officer of the corporation in his official capacity, who will be required to file with the voucher evidence of his authority for so doing. This evidence may be a properly verified extract from the articles of incorporation or from the by-laws or from the minutes of the board of directors.

**643.** The authority to receive and receipt for money due a corporation must be filed with the voucher which is forwarded with the account current of the disbursing officer to the chief of bureau. If subsequent payments are made under the same authority the disbursing officer will refer, on the voucher therefor, to the voucher with which the authority is filed.

**644.** Receipts for small sums for occasional service paid to corporations, such as railroad, telegraph, turnpike, transfer, express, steamboat, hotel, newspaper, and ice companies, may be signed by the local agent in charge of the business of the company at the place where the service is rendered, or where it begins or terminates, and the certificate of the officer making payment that the person to whom payment was thus made was then the local agent of the company, in charge of its business at the place designated, will be sufficient evidence of the agent's authority to receive and receipt for the money paid.

**645.** When an account is presented by an individual who is not known to the disbursing officer, the latter will require him to be identified.

**646.** The signature to the receipt and the name of the person or business firm as entered at the head of an account must be literally alike.

**647.** When a signature is not written by the hand of the party it must be witnessed, and by a commissioned officer when practicable.

**648.** In final statements, receipts for money and papers of like character, money amounts will, in all cases, be written out in full and also expressed by figures in parentheses. This requirement does not apply to muster and pay rolls and pay rolls of other descriptions.

**649.** Fees of civil officers for administering oaths in matters of military administration (where the services of judge-advocates of departments or of courts-martial, or trial officers of summary courts were not obtainable) will be paid from the appropriation applicable to the subject-matter of the oaths, and in case there be no appropriation applicable thereto, the fees will be paid by the Quartermaster's Department.

**650.** Disbursing officers will not issue vouchers for unpaid accounts as due bills against the United States, but a certified statement of personal services and of wages due may be given to a discharged employee who for want of funds was not paid at time of discharge.

**651.** When applicable, the following rules for the computation of time in payment for services will be observed:

1. For any full calendar month's service, at a stipulated monthly rate of compensation, payment will be made at such stipulated rate, without regard to the number of days in that month.

2. When service commences on an intermediate day of the month, thirty days will be assumed as the length of the month, whatever be the number of days therein.

3. When the service terminates on an intermediate day of the month, the actual number of days during which service was rendered in that calendar month will be allowed.

4. When the service embraces two or more months or parts of months but one fraction will be made, thus: From September 21 to November 25, inclusive, will be calculated: September 21 to October 20, inclusive, one month; from October 21 to November 20, inclusive, one month; from November 21 to 25, inclusive, five days—making the time allowed two months and five days.

5. When two fractions of months occur and both are less than a whole month, as from August 21 to September 10, the time will be determined thus: August 21 to 30, inclusive (ignoring the 31st), ten days; from September 1 to 10, inclusive, ten days—making the time allowed twenty days.

6. Service commencing in February will be calculated as though the month contained thirty days, thus: From February 21 to 28 (or 29), inclusive, ten days. When the service commences on the 28th day of that month three days will be allowed, and if on the 29th two days.

7. If service commences on the 31st day of any month, payment will not be made for that day.

8. For commutation of subsistence and for services of persons employed at a per diem rate, payment will be made for the actual number of days.

9. When services are rendered from one given date to another, the account will state clearly whether both dates are included.

10. In computing the wages of persons employed at a per diem allowance, the day on which service begins and the day on which it ends will be allowed in the computation.

**652.** Disbursing officers will not settle with heirs, executors, or administrators except by authority of the proper bureau of the War Department, and upon accounts that have been duly audited and certified by the proper accounting officers of the Treasury.

#### PECUNIARY RESPONSIBILITY OF OFFICERS.

**653.** An officer will have credit for an expenditure of money made in obedience to the order of his commanding officer. Every order issued by any military authority which may cause an expenditure of money in a staff department will be given in writing. One copy thereof will be forwarded by the officer receiving it to the head of his department, and the other will be filed by the disbursing officer with his voucher for the disbursement. If the expenditure be disallowed it will be charged to the officer who ordered it.

**654.** If a payment made on the certificate of an officer as to the facts is afterwards disallowed for error of fact in the certificate, it will pass to the credit of the disbursing officer and be charged to the officer who gave the certificate; but the disbursing officer can not protect himself in an erroneous payment made without due care by charging lack of care against the officer who gave the certificate.

#### ADMINISTRATIVE EXAMINATION OF MONEY ACCOUNTS.

**655.** The chief of a bureau to which accounts pertain will cause each account current, with its accompanying papers, to be examined and transmitted to the Treasury Department, with his decision indorsed thereon, within twenty days from the date on which such account was received at his office. He will bring to the notice of the Secretary of War all matters of account that require or merit it. When a suspension or disallowance is made, the bureau will notify the officer that he may have an opportunity to submit explanations or take an appeal to the Secretary of War.

**656.** In case of discovered error or disallowance in an account upon its examination by the proper authority the officer responsible will, upon notification thereof, unless able to furnish evidence to correct or remove the same, make the proper correction in his next account current, and refer therein to the particular voucher in which the error occurred or the disallowance was made.

### ARTICLE LVIII.

#### PUBLIC PROPERTY ACCOUNTABILITY AND RESPONSIBILITY.

##### GENERAL PROVISIONS.

**657.** Accountability and responsibility devolve upon any person to whom public property is intrusted and who is required to make returns therefor. Responsibility without accountability devolves upon one to whom such property is intrusted, but who is not required to make returns therefor. Thus, with respect to quartermaster's supplies intrusted to a company or detachment commander, responsibility but not accountability attaches.

**658.** The officer in permanent or temporary command of a post or station is responsible for the security of all public property of the command, whether in use or in store, and although for purposes of periodical accountability to the War Department it may all have been officially receipted for by subordinate officers, the commanding officer is nevertheless responsible and pecuniarily liable with them for the strict observance of the regulations in regard to its preservation, use, and issue. He will take care that all storehouses are properly guarded, that only reliable agents are employed, and only trustworthy enlisted men are detailed for duty in them or in connection with property.

**659.** If an officer in charge of the public property of a command (not properly pertaining to a company or detachment) is, by order, leave of absence, or any other cause, separated from it, the commanding officer or an officer designated by him will receipt and account for it.

**660.** If it becomes necessary to remove all officers from the charge of public property, the commanding officer will take measures to secure it and report the circumstances to the proper authority.

**661.** A company or detachment commander is responsible for all public property pertaining to his company or detachment and will not transfer his accountability therefor to a successor during periods of absence of less than a month, unless so ordered by competent authority; when such absence exceeds a month, the question of responsibility is settled by the proper authority.

**662.** The officer in temporary or permanent command of a company or detachment is responsible for all public property used by or in possession of the command, whether he receipt for it or not.

**663.** The property responsibility of a company commander can not be transferred to enlisted men. It is his duty to attend personally to its security, and to superintend issues himself or cause them to be superintended by a commissioned officer.

**664.** An officer will not, when it can be avoided, be detailed for duty which will separate him from public property for which he is accountable.

**665.** A transfer of public property involves a change of possession and accountability. The transferring officer will furnish the receiving officer with invoices, in duplicate, accurately enumerating the property, and the latter will return duplicate receipts. The transaction will appear on the property returns rendered by each.

**666.** When an officer to whom stores have been forwarded believes them to have miscarried he will promptly inform the issuing and forwarding officers.

**667.** If an officer to whom public property has been transferred refuses to receipt for it, the invoicing officer will report the facts to the commanding officer of the former for action. Copies of all papers relating to the transaction will be filed with his returns.

**668.** Upon the receipt of public property by an officer he will make careful examination to ascertain its quality and condition, but will not break original packages until issues are to be made, unless he has reason to believe the contents defective. Should he discover defect or shortage, he will apply for a board of survey to determine it and fix the responsibility. Should he consider the property unfit for use, he will submit inventories in triplicate and request the action of an inspector. The same rule will be observed in regard to packages when first opened for issue, and for property damaged or missing while in store.

**669.** When packages of supplies are opened for the first time, whether because of apparent defect or for issue, the officer responsible or some other commissioned officer will be present and verify the contents by actual weight, count, or measurement, as circumstances may require, and in case of deficiency or damage will make written report of the facts to the post commander. If only the officer responsible be present and make the report, he will secure the sworn statements in writing of one or more civilians or enlisted men regarding the condition of the property when examined. Should a board of survey be convened, the post commander will refer to it the report made by the examining officer, together with the sworn statements. At arsenals and depots where there are persons whose special duty it is to receive and issue public stores, the reports herein required may be made by them instead of officers of the Army.

**670.** The giving or taking of receipts in blank for public property is prohibited.

**671.** Supplies procured by one bureau will not be furnished to another, except by special authority of the Secretary of War. When furnished and restored in kind, they will be delivered at the post from which received, or at such other post as department commanders or chiefs of bureaus concerned may determine. If the transaction is between two bureaus of the War Department, payment will be made at the contract or invoice price of the stores; when between a bureau of the War Department and any other Executive Department, the amount to be paid will include the contract or invoice price and cost of transportation.

**672.** In no case will means of transportation or other property of any branch of the military service be taken as a part of the outfit of surveying or exploring expeditions for which Congress has made appropriations, without the express authority of the Secretary of War.

**673.** When it is impracticable for an officer to personally superintend his issues—as may be the case with one charged with disbursements, or the care of depots—he should choose with great caution the agent to whom he intrusts the duty.

**674.** The keys of store rooms or chests will not be intrusted to enlisted men or civilians, without great vigilance on the part of the accountable officer and a resort to every reasonable precaution, including frequent personal inspections, to prevent loss or damage.

**675.** An officer in charge of public property in use or in store will endeavor by timely repairs to keep it in serviceable condition. For this purpose the necessary means will be allowed on requisition, and property in store so repaired will be issued.

**676.** All movable public property will if practicable be conspicuously branded “U. S.” before being used.

**677.** Public property will not be used nor will labor hired for the Government be employed for any private purpose whatsoever, except as authorized in these regulations.

**678.** For property worn out in the public service the preliminary action of a board of survey is not necessary, and the accountable officer will submit inventories thereof and ask for an inspector's action. When the action of a board of survey and an inspector are necessary, the inventory will be accompanied by a copy of the proceedings of the board.

**679.** Military stores and public property condemned and ordered sold will be disposed of at auction, for cash, on due public notice and in such market as the public interests may require. The officer making the sale will suspend it when in his opinion better prices can be obtained, except in the case of condemned animals, the disposition of which is provided for in paragraph 1037. The auctioneer's certified detailed account of the sale, and the vouchers for the expenses attending it, will be reported on the proper forms to the chief of the bureau to which the property pertained and a copy of the auctioneer's detailed account of the sale will be furnished the Inspector-General.

**680.** Public property which has been condemned, or the issue price of which has been reduced by a board of survey, will not be purchased by an officer who was responsible therefor at the time of condemnation or reduction of price, nor by an officer who bore any part in such condemnation or reduction.

#### DAMAGED, LOST, DESTROYED, ETC.

**681.** Causes of damage to, and of loss and destruction of, military property are classified as follows:

1. Unavoidable causes, being those over which the responsible officers have no control, occurring (a) in the ordinary course of service, or (b) as incident to an active campaign.

2. Avoidable causes, being those due to carelessness, willfulness, or neglect.

**682.** Officers responsible for property will be charged for any damage to, or loss or destruction of the same, and the money value deducted from their monthly pay, unless they show, to the satisfaction of the Secretary of War, by their own affidavits or certificates or by one or more depositions that the damage, loss or destruction was occasioned by unavoidable causes, and without fault or neglect on their part.



**683.** The proper officers to administer oaths in the administration of the affairs of the Army (except when otherwise specially provided) are judge-advocates of departments, judge-advocates of courts-martial, and trial officers of summary courts. When none of these are within reach and available, recourse must be had to a notary public or other civil officer competent to administer oaths for general purposes.

**684.** If an article of public property be lost or damaged by the neglect or fault of any officer or soldier, he shall pay the value thereof, or the cost of repairs, at such rates as a board of survey may determine.

**685.** The amount charged against an enlisted man on the muster and pay rolls on account of loss or damage of or repairs to Government property shall not exceed the value of the article or cost of repairs; and such charge will only be made on conclusive proof, and never without an inquiry, if the soldier demand it. He will be informed at the time of signing the pay rolls that his signature will be regarded as an acknowledgment of the justice of the charge.

**686.** When a deserter carries away public property, or when such property is lost through his desertion, its value will be determined by a board of survey and charged against him on the next muster and pay rolls.

**687.** If articles of public property are embezzled, or lost or damaged through neglect, by a civilian employee, the value or damage as ascertained (and by a board of survey if necessary) shall be charged to him and set against any pay or money due him.

**688.** Whenever information is received that animals or other property belonging to the military service of the United States are unlawfully in the possession of any person not in the military service, the quartermaster, or other proper officer, will promptly cause proceedings to be instituted and diligently prosecuted before the civil authorities for the recovery of the property, and, if the same has been stolen, for the arrest, trial, conviction, and due punishment of the offender and his accomplices.

**689.** Upon satisfactory information that such United States property, unlawfully in the possession of any parties, is likely to be taken away, concealed, or otherwise disposed of before the necessary proceedings can be had in the civil tribunals for its recovery, the post or detachment commander will at once cause the same to be seized, and will hold it subject to any legal proceedings that may be instituted by other parties. Persons caught in the act of stealing public property will be summarily arrested by the troops and turned over to the civil authorities for trial.

**690.** Quartermasters, after they have failed to get possession of a lost or stolen animal by the ordinary means, may authorize the payment of a reward of not more than \$25 for its recovery. If the animal has been stolen, they may offer an additional reward of like amount for each person arrested, tried, convicted, and sentenced for the theft.

**691.** The expenses necessarily incurred by any action under the three preceding paragraphs, with the exception of attorney's fees, will be paid by the Quartermaster's Department, upon proper vouchers approved by the department commander. Officers will promptly report their action to department headquarters.

## PROPERTY ACCOUNTABILITY.

**692.** All public property, whether paid for or not, must be accounted for on the proper returns.

**693.** An officer accountable for the public property of two or more companies will account for that pertaining to each, except quartermaster's supplies, on a separate return.

**694.** Accountability for public property will not be transferred to enlisted men, except to sergeants of the post noncommissioned staff at ungarrisoned posts, and sergeants of the Signal Corps.

**695.** Vouchers for issues or expenditures of property not authorized by regulations will be accompanied by copies of the orders directing the issues or expenditures.

**696.** An officer will have credit for an expenditure of property made in obedience to the order of his commanding officer. If the expenditure is disallowed, it will be charged to the officer who ordered it.

**697.** Public property expended, lost, or destroyed in the military service must be accounted for by affidavit, or the certificate of a commissioned officer, or other satisfactory evidence.

**698.** When an enlisted man has, by a court-martial, been convicted of losing or damaging public property, the officer responsible for the property will send with his property return a certified copy of so much of the court-martial order as refers to the case, giving number, date, and place of issue of the order, and stating on the face of said copy the rolls on which the charges are made.

**699.** Should an officer or agent of the Government charged with public property fail to render the prescribed returns thereof within a reasonable time, a settlement of his accounts will be made by the proper bureau of the War Department, and the money value of the property with which he is charged will be reported against him for stoppage.

**700.** All returns of stores or supplies will be rendered as required by regulations or orders. Those of subsistence stores and subsistence property will be forwarded within ten days after the expiration of the accounting periods, and those of other classes of stores and property within twenty days, to the chiefs of bureaus to which they pertain. Abstracts of purchases will be forwarded with the money accounts.

## ADMINISTRATIVE EXAMINATION OF PROPERTY RETURNS.

**701.** As soon as possible after the receipt of a return by the proper chief of bureau, it will be examined in his office, and the officer making the return will be notified of all errors and irregularities found therein and granted three months to correct them. Suspensions or disallowances will not be made on account of slight informalities which do not affect the validity of a voucher, but the officer's attention may be called to them. Whenever the errors have been corrected or compensation has been made for deficient articles, and the action of the bureau chief is sustained or modified by the Secretary of War, the return will be regarded as settled, and the officer who rendered it will be notified accordingly.

**702.** If the necessary corrections in the return be not made within the prescribed time the facts will be reported to the Secretary of War. When it has been determined that the money value of the property for which an

officer has failed to account shall be refunded to the United States, the facts will be certified to the Auditor for the War Department by the chief of bureau.

### ARTICLE LIX.

#### LANDS, BUILDINGS AND IMPROVEMENTS.

**703.** Land shall not be purchased for the United States except under an act of Congress authorizing the purchase, nor shall public money be expended for the erection of armories, arsenals, forts, fortifications, or permanent buildings of any description thereon, until the written opinion of the Attorney-General shall have been obtained announcing the validity of the title thereof in the Government, nor, if the land be within any State, until jurisdiction over it shall have been ceded to the United States by the legislature of the State.

**704.** All papers relating to the Washington Aqueduct and public buildings and grounds in the District of Columbia will be filed in the office of the Chief of Engineers. All other deeds and papers pertaining to the title or sale of, and any lease, grant, license, or easement of, upon, or over any military reservation or other lands under the jurisdiction of the War Department will be filed in the office of the Judge-Advocate-General. When any such papers come into the possession of any bureau they shall within five days thereafter be transferred to the office of the Judge-Advocate-General.

**705.** Permanent military buildings will be constructed only under special authority granted by an act of Congress, unless the work or labor connected therewith is performed by troops, and in such case the authority of Congress must first be obtained if the estimated cost of the building or structure exceeds \$20,000.

**706.** Permanent barracks, quarters, or other buildings, or piers or wharves, will not be erected or constructed except by the order of the Secretary of War, and in accordance with plans approved by him; nor will any material alterations be made in public buildings unless like authority is first obtained; nor will any expenditures exceeding \$500 be made upon any building or grounds at any post, fort, arsenal, or depot without the approval of the Secretary of War and upon detailed estimates submitted to him.

**707.** A copy of the plat of the lands at each post, fort, arsenal, and depot, furnished from the proper bureau, will be carefully preserved in the office of the commanding officer.

### ARTICLE LX.

#### BOARDS OF SURVEY.

**708.** Public property which has been damaged, except by fair wear and tear, or is unsuitable for the service, before being submitted to an inspector for condemnation, will be examined by a board of survey. By order of the commanding officer, public animals may be killed to prevent contagion or terminate suffering; clothing infected with contagious disease, and stores that have become so deteriorated as to endanger health or injure other stores, may be destroyed; but in every case of this nature a board of survey shall act, and an inventory and inspection report signed by the accountable and

commanding officers will be prepared and forwarded. In urgent cases the taking of proof and the preparation of written proceedings by the board may follow the destruction of the property.

**709.** A board of survey will be called by the commanding officer of the post or station. It will be composed of three officers, exclusive of the commanding officer and those who are interested, if that number be present for duty; otherwise, of as many as are so present, exclusive of the commanding and interested officers; or if none but the commanding officer and interested officers be present for duty, then of the commanding officer. When only the responsible or interested officer is present, he will not constitute himself a board of survey, but will furnish the department commander his certificate of facts and circumstances, supported by affidavits of enlisted men or others who are cognizant thereof. Should a case thus presented not be considered satisfactory, or in a case in which only interested officers with opposing interests are present for duty at the post, the department commander may make the necessary investigation.

**710.** A board of survey must fully investigate matters submitted to it. It will call for all evidence attainable, and will not limit its inquiries to proofs or statements presented by parties in interest. It will rigidly scrutinize the evidence, especially in cases of alleged theft or embezzlement, and will not recommend the relief of officers or soldiers from responsibility, unless fully satisfied that those charged with the care of property have performed their whole duty in regard to it. In no case, however, will the report of a board take the place of the evidence required in paragraph 682.

**711.** The party responsible for the property to be surveyed will, in all cases, furnish the original certificates or affidavits upon which he relies to relieve him from responsibility, and the number of duly attested copies thereof required by a board of survey to accompany its proceedings.

**712.** A board of survey has no power to administer oaths, either to its members or to witnesses before it, but it should hear in person or by letter all persons concerned in the subject-matter before it.

**713.** A board of survey can not condemn public property. Its action is purely advisory. It is called for the purpose of ascertaining and reporting facts, submitting opinions, and making recommendations upon questions of responsibility which may arise through accident, mistake or neglect. For example, it investigates and determines questions involving the character, amount, and cause of damage or deficiency which public property may have sustained in transit, store, or use, and which is not the result of ordinary wear and tear of the service, and reports the investigation made, its opinions thereon, and fixes responsibility for such damage or deficiency upon the proper party. It makes inventories of property ordered to be abandoned when the articles have not been enumerated in the orders for abandonment. It recommends the prices at which damaged clothing may be issued, and the proportion in which supplies shall be issued in consequence of damage or deterioration that renders them, at the usual rate, unequal to the regulation allowance, fixing in each instance responsibility for actual condition. It verifies the discrepancy between invoices and the actual quantity or description of property transferred from one officer to another, fixes definitely amounts received for which the receiving officer must receipt, and ascertains, as far as possible, where and how the discrepancy has occurred. It inventories and reports the condition of property in the possession of deceased officers as provided for in paragraph 84.

**714.** The proceedings of a board of survey will be prepared in triplicate and signed by each member who concurs in the finding. Should a member not concur, he will submit a minority report, to be embodied in the record immediately after the majority report and signed by the dissenting member. The proceedings will then be submitted to the convening authority for approval or disapproval.

**715.** When the value of the property submitted for survey or the loss or damage to be inquired into does not exceed \$500, and the interested officer does not request the department commander's action, the proceedings of the board will be considered complete for submission as a property voucher upon the approval of the convening authority. One copy will then be forwarded to department headquarters and the others delivered to the officer accountable.

**716.** Should the proceedings be disapproved by the convening authority, or should the value of the property submitted for survey or the loss or damage to be inquired into exceed \$500, or, whatever the amount involved, should the officer pecuniarily interested request it, the proceedings in triplicate will be forwarded to the department commander for review, and with his action are complete. One copy will then be filed at department headquarters and the others sent to the accountable officer. But all proceedings of boards of survey, whatever their nature or the amounts involved, are subject on call to the approval or disapproval of the department commander or such other action on his part as the merits of the case or the interests of the Government may in his opinion require.

**717.** The proceedings of a board of survey which recommends the relief of officers and enlisted men from responsibility should not be approved unless full and careful investigation and convincing proof to sustain the board's findings appear.

**718.** Properly approved proceedings of boards of survey may be submitted as vouchers to property returns. They are not to be considered as conclusive until accepted by the Secretary of War. Until then they are to be regarded simply as the opinions and recommendations of disinterested officers, to aid in the settlement of questions of accountability between the Government and the individuals concerned. If, on examination in the proper bureau, they exhibit serious errors or defects either of investigation or of finding, they will not be accepted as sufficient vouchers, and the officer submitting them will be duly notified, that he may have opportunity to make explanations or appeal to the Secretary of War.

**719.** At posts or stations not under the control of department commanders commanding officers will be governed by these regulations in convening boards of survey and acting upon their proceedings, but in cases referred to in paragraph 716 will forward the papers to the chiefs of bureaus to which the property pertains.

**720.** Separate proceedings of boards of survey will be had for each staff department concerned.

**721.** Whenever a board recommends a stoppage against an enlisted man and the recommendation is approved, the convening authority will cause a copy of the proceedings to be furnished to the company commander, who will charge the amount on the next muster and pay-rolls of the company.

**722.** If an inspection of property follows the action of a board of survey thereon, one copy of the proceedings will accompany the inventory and inspection report which is transmitted as a voucher to the officer's returns, and another, with the inventory and inspection report, will be filed by the officer with his retained papers.

**723.** For private property of officers or enlisted men lost or destroyed in the military service, without fault or negligence on the part of the claimant, "where the private property so lost or destroyed was shipped on board an unseaworthy vessel by order of any officer authorized to give such order or direct such shipment," or "where it appears that the loss or destruction of the private property of the claimant was in consequence of his having given his attention to the saving of the property belonging to the United States which was in danger at the same time and under similar circumstances," compensation may be made under the provisions of the act of Congress approved March 3, 1885. Proceedings of a board of survey will, if possible, accompany each application under this act, showing fully the circumstances attending the loss.

## ARTICLE LXI.

### CIVILIAN EMPLOYEES.

#### GENERAL PROVISIONS.

**724.** In the staff corps and departments the employment of civilians will be regulated by the respective chiefs of bureaus under the direction of the Secretary of War. Those whose services are engaged with the intention or probability of retaining them for more than three months are classified as permanent employees. Their appointment, dismissal, promotion, or reduction will be made, under the supervision of the respective chiefs of bureaus, by the officers employing them, except as controlled by statute or the civil-service rules; but in selections for such employment preference will be given, as far as practicable, to applicants who have served meritoriously as enlisted men in the Army, and the appointments and promotions of all permanent employees, except mechanics, laborers, teamsters, and others of similar or kindred occupations, will be submitted for the approval or confirmation of the Secretary of War.

**725.** The clerks and messengers authorized by the act of Congress of August 6, 1894, will be employed and apportioned to the several headquarters and stations by the Secretary of War, and will not be ordered thence without his authority. All messenger service at the several department headquarters, except for staff officers not assigned to the department staff, and, as far as practicable, all clerical services thereat, will be performed by this class of employees.

**726.** Department commanders will confine expenditures for civilian employees within the allotments for the purpose made under the direction of the Secretary of War.

**727.** Civil engineers, clerks, inspectors, storekeepers, packers, watchmen, messengers, teamsters, mechanics and laborers will, as a rule, be engaged by the month, day, or piece, and paid at the end of each calendar month. They will be designated upon the rolls in the capacity in which employed and at the rates established. When discharged and not paid, certified statements will be given them.

**728.** Eight hours constitute a day's work for all mechanics and laborers employed by or on behalf of the United States, except in cases of emergency. This rule does not extend to engineers, firemen, seamen, watchmen, messengers, teamsters, and others, the nature of whose employment is peculiar and whose services may be necessary at any or occasionally at all hours of the day.

TRAVELING EXPENSES.

**729.** For authorized journeys of civilian employees of any branch of the military service transportation requests will be obtained when practicable, but will be obtained in every case for travel over bond-aided railroads.

**730.** Reimbursement of actual expenses when traveling under competent orders will be allowed, under the following heads, to civilians in the employ of any branch of the military service, excepting the expert accountant of the Inspector-General's Department, paymasters' clerks, and those mentioned in the next succeeding paragraph, viz:

1. Cost of transportation (excluding parlor-car fare) over the shortest usually traveled route, when it was impracticable to furnish transportation in kind on transportation requests.

2. Cost of transfers to and from railroad stations, not exceeding 50 cents for each transfer.

3. Cost of one double berth in a sleeping car, or customary state-room accommodation on boats and steamers when extra charge is made therefor.

4. Cost of meals not exceeding \$3 per day while en route when meals are not included in the transportation fare paid; and not exceeding \$3 per day for meals and lodgings during necessary delay en route.

5. Cost of meals and lodgings not exceeding \$3 per day while on duty at places designated in the orders for the performance of temporary duty.

Veterinary surgeons of cavalry regiments traveling under proper orders, in accordance with paragraph 185, are not entitled to reimbursement under the fifth heading above given.

**731.** Laborers, teamsters, and employees of similar character, traveling under competent orders, will be entitled to such actual and necessary expenses of travel and subsistence as may be authorized by the chief of bureau which pays the accounts. Those in receipt of a ration under paragraph 1252 will not be allowed commutation therefor. If it be impracticable for them to carry rations in kind, rations will not be drawn for the period during which they are traveling.

**732.** None but the authorized items of traveling expenses of civilians will be allowed. They will in all cases be set forth in detail in each voucher for reimbursement supported by oath and, when practicable, by receipts.

**733.** Paymasters' clerks and the expert accountant of the Inspector-General's Department when traveling on duty will, when transportation in kind can not be furnished by the Quartermaster's Department, be reimbursed for cost of transportation paid by them exclusive of parlor or sleeping car fares or transfers, and will receive in addition thereto, for all travel whether or not on transportation requests, four cents per mile for each mile necessarily traveled by them in the performance of duty—distance to be computed over the shortest usually traveled route.

**734.** Actual traveling expenses, as contemplated in the preceding paragraphs, are paid by the following departments, viz:

*Pay Department.*—To paymasters' clerks, the expert accountant of the Inspector-General's Department, civilians summoned as witnesses before, and authorized reporters of, military courts.

*Ordnance Department.*—To employees at arsenals and armories (cost of transportation included) from appropriations for the service of the Ordnance Department.

*Engineer Department.*—To employees on public works and fortifications (cost of transportation included) from appropriations made specifically for the work.

*Quartermaster's Department.*—To employees of the Quartermaster's and Subsistence Departments, and other employees of the Army not above provided for.

**735.** When officers of the staff departments change station the transfer of clerks or other employees to the new stations at the expense of the United States is prohibited, except in cases of urgent necessity, for which the sanction of the Secretary of War will first be obtained. The Pay Department is excepted from this regulation.

## ARTICLE LXII.

### STAFF ADMINISTRATION.

**736.** The supply, payment, and recruitment of the Army, and the direction of the expenditures of the appropriations for its support, are by law intrusted to the Secretary of War. He exercises control through the bureaus of the War Department. He determines where and how particular supplies shall be purchased, delivered, inspected, stored and distributed.

**737.** When a chief of bureau of the War Department desires to change the station of an officer or enlisted man of his department, or to send him on duty peculiar thereto (except in cases of officers employed under the appropriation for the improvement of rivers and harbors, and of enlisted men belonging to the Signal Corps or detailed to duty therewith), he will make application for authority to do so through the Adjutant-General of the Army, setting forth the reasons for change or purpose of such journeys.

**738.** The assignment to stations of staff officers and of enlisted men of the staff departments will be made by the Secretary of War in orders from the Headquarters of the Army, or by department commanders acting under the special authority of the Secretary of War. In the case of medical officers, the Surgeon-General, in recommending changes of stations, will designate the posts or stations to which he desires assignments to be made. The removal of an officer from the station to which he has been assigned by the Secretary of War will not be made by department commanders, except in cases of urgent necessity when time will not admit of first obtaining authority therefor from the Secretary of War; in such cases prompt report will be made to the Adjutant-General of the Army.

**739.** When business upon which a board of officers is to be assembled is solely within the sphere of duty of a particular staff department, and the members thereof are to be selected from the same, the chief of such department will call the board if it is to meet at a post or station under his immediate control and is to be composed only of officers serving thereat; otherwise the order appointing it will be issued by direction of the Secretary of War.



**740.** Copies of all important communications from a bureau of the War Department to a disbursing officer on the staff of a department commander, which concern service in such department, will be sent direct to the department commander.

**741.** Staff officers assigned to the command of an officer are under his supervision and control in all matters pertaining to or affecting the command which are not specially excepted therefrom by the regulations or orders of the War Department.

**742.** Commanders of departments, in order to avoid unnecessary clerical labor and accumulation of papers, will call upon officers under their orders for only such abstracts or reports, in addition to those required by regulations, as may be needed for proper administration.

**743.** Commanding officers will cause returns, requisitions, and estimates pertaining to their respective commands to be promptly made and forwarded.

**744.** Officers doing duty as staff officers at military posts will submit their estimates and requisitions for supplies, property, and money to their immediate commanding officers for revision and approval, who will carefully examine estimates and requisitions, and satisfy themselves that money or articles asked for are in amount, quantity, and kind actually required for the public service during the period covered.

**745.** The chief of each branch of the staff of any command will carefully revise the estimates and requisitions for money and supplies for the command in so far as his particular branch is concerned. He will ascertain and recommend the cheapest markets and most economical routes of transportation. Such officers will receive from their commanders timely instructions as to all contemplated movements of troops and as to any probable increase or diminution of the garrison at any particular post, that a proper and economical distribution of supplies may be made.

**746.** Officers of the staff departments assigned to the charge of general depots, or to the duty of purchasing supplies for troops not included in the military department in which they are located, will submit to the department commander such estimates only as relate to the service under his command. In all other matters they will communicate directly with the chiefs of their bureaus.

**747.** It is the duty of commanding officers to enforce rigid economy in public expenses, and to correct all irregularity and extravagance which they may discover; to see that disbursements are economically made, and that public property is protected; to carefully scrutinize all contracts and vouchers for disbursements, and to guard the public interests in every particular.

## ARTICLE LXIII.

### ADJUTANT-GENERAL'S DEPARTMENT.

**748.** The Adjutant-General's Department is the bureau of orders and records of the Army.

Orders and instructions emanating from the War Department or Army Headquarters and all general regulations are communicated to troops and individuals in the military service through the Adjutant-General. His office is the repository for the records of the War Department which relate

to the personnel of the permanent military establishment and militia in the service of the United States, to the military history of every commissioned officer and soldier thereof, and to the movements and operation of troops.

The records of all appointments, promotions, resignations, deaths, and other casualties in the Army, the preparation and distribution of commissions, and the compilation and issue of the Army Register and of information concerning examinations for appointment and promotion, pertain to the Adjutant-General's Office.

The Adjutant-General is charged, under the direction of the Secretary of War, with the management of the recruiting service, the collection and classification of military information in regard to our own and foreign countries, the preparation of instructions to officers detailed to visit encampments of militia, and the digesting, arranging, and preserving of their reports; also the preparation of the annual returns of the militia required by law to be submitted to Congress. Requests for military information, which require action on the part of any military attaché of the United States, will be made to the Adjutant-General of the Army.

**749.** In the Adjutant-General's Office the names of all enlisted soldiers are enrolled, enlistments and descriptive lists filed, deaths, discharges, desertions, etc., recorded, the general returns of the Army consolidated, returns of regiments and posts and all muster rolls, and the inventories of effects of deceased officers and soldiers preserved.

**750.** Rules for keeping record books, and forms for rolls, returns, etc., will be furnished the proper officers on direct application to the Adjutant-General of the Army.

**751.** Manuscript returns, rolls, certificates, and other documents are prohibited, when the proper printed forms are on hand.

#### ARTICLE LXIV.

##### MILITARY CORRESPONDENCE.

**752.** An official letter should refer to one subject only. Letters of transmittal will be used only when necessary, and when used must refer only to the matter transmitted; none are required with rolls, returns, or periodical reports. Telegrams will be followed by official copies sent by first mail.

**753.** A half sheet of letter paper will be used for a communication requiring but a single page. When more than three pages are required for the body of a manuscript communication an additional half sheet, or more if necessary, will be neatly pasted to it, so that the last or outer page may be left entirely blank.

**754.** Letter paper will be folded in three and foolscap in four equal folds parallel with the writing. The inner or left edge of the sheet is the top when folded; the left fold of the outer page is the first fold. The first fold will be used exclusively for a brief analysis of the contents of the communication, the office marks, and note of inclosures.

**755.** The post-office address of an officer's station will be given in his official letters. Indefinite expressions of locality, which do not indicate where the letter was written, will not be used.

**756.** Official communications will be signed or authenticated with the pen and not by facsimiles. Signatures will be plainly and legibly written,

with the rank and regiment or corps of the writer annexed; if by order, stating by whose order. By virtue of commission and assignment to duty the adjutant-general or adjutant of any command transacts the business or correspondence of that command over his own signature; but when orders or instructions of any kind are given, the authority by which he gives the order must be stated. In the absence of a department commander, his adjutant-general, in signing communications to be forwarded to higher authority, will add to his signature the words, "In the absence of the department commander."

**757.** An officer will not be designated in orders nor addressed in official communications by any other title than that of his actual rank.

**758.** A letter will be properly briefed at the first office at which it is received and entered.

**759.** Indorsements commence at the top of the second fold, and are numbered serially in order of dates on the successive folds, leaving room after each for office marks. Additional space for indorsements will be provided by pasting slips of paper on the under side of the last fold (right edge of original paper), each slip, when attached, to have the same length and width as the original fold, and to turn back upon the last fold like the leaf of a book. The first fold, on which the brief is made, is always outside. Printed labels, by way of indorsement, will not be pasted on official papers. In no case will a loose wrapper be placed around an official paper, except as a mere covering.

**760.** All inclosures will be numbered, and will be given the proper office marks. Inclosures to the original communication are noted on the first fold, just below the brief. If others are added when an indorsement is made, their number will be noted at the foot of the indorsement to which they pertain and also on the first fold of the original communication. To the latter notation will be added the number of the indorsement to which they belong, thus, "One inclosure—fifth indorsement." Inclosures to indorsements are numbered in the same series as those to the original paper, and the number of the indorsement to which they belong is added below. If few in number and not bulky, inclosures may be kept inside the original paper; otherwise they will be folded together in a wrapper marked "inclosures." Officers through whose hands official papers pass will make the inclosures and slips secure when they are not so. (Models illustrating the system are furnished from the Adjutant-General's Office.)

**761.** Private correspondence from persons in the military service which they may desire to have forwarded through the dispatch agents of the United States will be addressed, under cover, to the War Department.

**762.** All communications on official matters intended for the Secretary of War, except as provided in paragraph 767, or the Commanding General of the Army will be in writing and addressed to the Adjutant-General of the Army. Communications, whether from a subordinate to a superior, or vice versa, will, as a rule, pass through intermediate commanders. In cases of necessity communication may be direct, the necessity therefor being stated. This rule will also govern in verbal applications. All communications from superiors to subordinates will be answered through the same channel as received. This paragraph, however, will not be interpreted as including matters in relation to which intermediate commanders can have no knowledge, and over which they are not expected to exercise control.

**763.** Official correspondence between the heads of the different departments of the staff of any command and its commander will pass through the adjutant-general or adjutant of the command. Communications to or from a commander and his subordinates will pass through the same channel. Communications, however, between a disbursing officer and the chief of the bureau in which he is serving, which do not involve questions of administrative responsibility within the supervision of commanding officers, nor affect the official interests of individuals, but which relate exclusively to the routine of business in his department, will pass direct.

**764.** Except as provided in paragraph 767, all communications, reports, and estimates from officers serving at a military post, and communications of every nature addressed to them relating to affairs of the post, will pass through the post commander.

**765.** Officers who forward communications will indorse thereon their approval or disapproval, with remarks. No communication should be forwarded to the Adjutant-General of the Army by a department commander or other superior officer for the action of the Commanding General of the Army or the Secretary of War without some recommendation or expression of opinion.

**766.** A commander or chief of bureau may communicate with those under his command or direction through a staff or other suitable officer. With all others he will himself make the communication.

**767.** Chiefs of bureaus of the War Department are authorized to correspond directly with the Secretary of War and with the subordinate officers of their respective corps upon any matter relating exclusively to the duties of the bureau required by statute to be performed under the direction of the Secretary of War, and necessary sub-references of such correspondence and sub-reports will, in like manner, be direct through officers of the respective corps. Such correspondence with subordinate officers will not embody instructions to be carried out by an officer reporting to or serving under an officer commanding troops, in relation to any matter not specifically excepted from his command and control by law, or by the Secretary of War; and replies thereto will not embody remarks or recommendations on matters pertaining to the administration of the officer commanding.

**768.** Unless otherwise expressly authorized by statute, an application for the official opinion of the Judge-Advocate-General or of an officer of any Executive Department of the Government other than the War Department will be addressed to the Adjutant-General of the Army, and by him submitted to the Secretary of War. Abstract questions will not be presented.

**769.** Unimportant and trivial communications need not be forwarded to the Adjutant-General of the Army simply because addressed to him. Department commanders should decide whether a communication is of sufficient importance to be forwarded to the Commanding General of the Army or the Secretary of War.

## ARTICLE LXV.

### ORDERS.

**770.** The orders of commanders of armies, corps, divisions, brigades, regiments, posts, territorial departments, and districts are denominated "general (or special) orders" of such army, corps, etc., according to char-

acter. General and special orders are numbered in separate series, each beginning with the calendar year or at the time of the establishment of the headquarters. Orders issued by commanders of battalions, companies, or small detachments are simply denominated "orders," and are numbered in a single series, beginning with the year. Circulars issued from any headquarters are numbered in a separate series.

**771.** General orders announce the time and place of issues and payments, hours for roll calls and duties, police regulations and prohibitions, returns to be made and their forms, laws and regulations for the Army, promotions and appointments, eulogies or censures, the results of trial by general courts-martial in all cases of officers or of enlisted men involving matters of general interest and importance, and generally, whatever it may be important to publish to the whole command. Orders eulogizing the conduct of living officers will not be issued except in cases of gallantry in action or performance of specially hazardous service.

**772.** Special orders are such as concern individuals or relate to matters that need not be made known to the whole command.

**773.** General orders and all important special orders must be read and approved, before issue, by the officer whose orders they are.

**774.** An order will state at its head the source from which it emanates, its number, date, and place of issue; and at its foot, the name of the commander by whose authority it is issued. It may be put in the form of a letter addressed to the individual concerned through the proper channel.

**775.** Orders for any body of troops will be addressed to its commander. They will be executed by the commander present, and will be published and copies distributed by him when necessary.

**776.** Orders to an officer involving travel on duty, as for the inspection or payment of troops, etc., will designate the troops and posts to be visited, and the order in which he will visit them.

**777.** Orders and instructions will be transmitted through intermediate commanders, in order of rank, except when they are of such character that the commanders have no power to modify or suspend them. In such cases the orders or instructions will be sent direct to the officer by whom they are to be executed, copies being furnished to the intermediate commanders.

**778.** Printed orders are generally distributed direct to posts by the headquarters from which issued. Files of such orders will be kept by each regiment and company, and at each military post, and will be turned over by a commander, when relieved, to his successor. If general orders in regular succession are not received within a reasonable time, commanding officers will report missing numbers to the proper headquarters.

**779.** In camp or garrison, orders that affect a command will, as a rule, be read to the troops at the first regular parade after they are received. In the field, when orderly hours can not be observed, they will be sent direct to the troops, or commanders of regiments or corps will be informed when to send to headquarters for them, or during a halt orders will be read to troops, without waiting for the regular parades.

**780.** In the field, verbal and important written orders are carried by officers. Dispatches for distant corps should be intrusted only to officers to whom their contents may be confided.

**781.** Mounted enlisted men will be employed to carry important dispatches only in special and urgent cases. The precise hours of departure and the rates at which they are to be conveyed will be written clearly on the covers of all dispatches transmitted by mounted orderlies.

**782.** Copies of all orders issued by commanders of armies or territorial departments will be forwarded at their dates, or as soon as practicable, to the Adjutant-General of the Army and to the head of each staff department in Washington.

**783.** The date of any appointment, detail or removal affecting the pay of staff officers or acting staff officers will be immediately reported by the officer making the same to the Adjutant-General of the Army and to the paymaster of the department or command to which such officers belong.

#### ARTICLE LXVI.

##### MUSTER AND PAY ROLLS.

**784.** At every muster of troops, muster and pay rolls will be prepared, signed, and disposed of by the commander of each regiment, company, or separate detachment, in accordance with the directions on the blank forms furnished by the Adjutant-General of the Army. There will be reported on the regimental roll the regimental field officers, staff (commissioned and non-commissioned), and band; on the company roll, the officers and enlisted men belonging to the company; on the hospital roll, the medical officers, the hospital corps, and the authorized matrons; on the post noncommissioned staff roll, the post noncommissioned staff and enlisted men of the Signal Corps serving at the post. The post noncommissioned staff roll will be prepared and signed by the adjutant, who will also keep the accounts and prepare the final statements of the men borne thereon.

**785.** A soldier on duty or in hospital at a post or station where his company is not mustered will be mustered on a detachment roll, a separate roll being prepared for each regiment.

**786.** Companies will be designated on the rolls by letters and regiments, and by the names of their captains whether present or absent.

**787.** Calculations on the muster and pay roll are made by the paymaster, and copied on the retained roll by the company or detachment commander, who will certify that he witnessed the payment, and will enter thereon the name of the paymaster.

**788.** Corrections on muster rolls, after muster and before they have been forwarded, will not be made except with the approval of the mustering officer. Retained rolls will not be changed without authority from the Adjutant-General of the Army.

#### ARTICLE LXVII.

##### RETURNS OF TROOPS.

**789.** Commanders of departments, corps, and posts will make to the Adjutant-General's Office, in Washington, monthly returns of their respective commands on forms furnished by the Adjutant-General of the Army, and in accordance with the directions printed thereon. In like manner company commanders will make monthly returns of their companies to regimental headquarters.

**790.** Every commander of a separate body of troops, whether an army corps, division, brigade, regiment, or detachment, and whether engaged in campaign, field service, or occupying a temporary camp, or simply in transit from one place to another, will make the monthly return required in the preceding paragraph. Any detachment so far separated from the main body to which it belongs as to render it impracticable for the commander of the main body to make the muster and inspection enjoined by the regulations is a separate command within the meaning of this paragraph.

**791.** At the close of January, March, May, July, September and November of each year each company commander will forward with his morning report to the commanding officer a report of enlisted strength in the prescribed form. These the commanding officer will at once transmit to the Adjutant-General of the Army. Regimental commanders will forward similar reports of noncommissioned staff and band, including unassigned recruits if any.

**792.** Regimental returns will be made in the name of the colonel and those of the company in that of the captain, whether those officers be present or absent.

**793.** When a field officer is serving with detached companies of his regiment the commanders thereof will forward their returns through him, and he will transmit them with his personal report to regimental headquarters.

**794.** In campaign, one copy of every return of troops will be forwarded through intermediate commanders and one direct to the Adjutant-General of the Army, unless otherwise ordered.

**795.** Whenever the strength of a separate command is temporarily or permanently increased or diminished by the moving of any organization, the commanding officer will immediately inform the Adjutant-General of the Army direct, designating the organization moved, number and names of officers, and strength in men, animals, and arms.

**796.** In campaign two columns will be added to the monthly return in the space reserved for remarks, in which shall be entered the effective strength of the organization. In determining such strength only those who are available for service in the line of battle will be included. Officers or enlisted men who are sick or disabled, on duty in any of the staff or supply departments, or detached for any cause will be excluded.

**797.** After any action or affair resulting in casualties, a return in triplicate of killed, wounded, and missing will be made, containing the name, rank, and regiment of each person, with such remarks and explanations as may be necessary to a full understanding of any claims of the wounded soldiers or of representatives of the deceased. The nature of the wound, the time when and place where received; the company, regiment, or corps to which the person belongs, and the name of his captain, colonel, or other commanding officer will be carefully entered. One copy of this return will be retained, one forwarded direct, and the third through military channels, to the Adjutant-General of the Army.

**798.** A return of all captured property will be rendered to the Adjutant-General of the Army through intermediate channels, by the immediate commander of the troops making the capture.

## ARTICLE LXVIII.

## RECORDS.

**799.** All military records will be carefully preserved.

**800.** Whenever a post or other command is discontinued all records not required for use at headquarters of the departments in which the command was included will be forwarded to the Adjutant-General of the Army, as will also the records of departments upon discontinuance.

**801.** The use of colored inks, except as carmine or red ink is used in annotation and ruling, is prohibited in the records and correspondence of the Army.

**802.** Sections 5403 and 5408, Revised Statutes, prescribe penalties for the fraudulent or wrongful destruction, withdrawal or removal from any public office of any public record, paper or document therein deposited.

**803.** No information will be furnished by any person in the military service which can be made the basis of a claim against the Government, except it be given as the regulations prescribe to the proper officers of the War, Treasury, or Interior Departments, or the Department of Justice. Information concerning sick and wounded officers and enlisted men may be freely conveyed to allay the anxiety of friends. The fact of death may be communicated to relatives, but not circumstances connected therewith which could be made use of in prosecuting claims against the Government. If any person in the military service has knowledge of facts pertaining to the service of an individual who is an applicant for a pension, he may, upon request, if not pecuniarily interested, furnish a certificate or affidavit setting forth his knowledge; but record evidence will be furnished by the War Department only.

## ARTICLE LXIX.

## PERSONAL AND EFFICIENCY REPORTS.

**804.** When any officer arrives at Washington, D. C., he will report at the Adjutant-General's Office, and will there record his name, residence in the city, and the authority by which he is absent from his station.

**805.** An officer detached from his regiment or corps for duty at another station, or a field officer serving with troops but not at the headquarters of his regiment, will immediately report to the Adjutant-General of the Army and to his regimental and post commanders the time of departure from former station, of arrival at new station with a reference to the authority for the change, and his post-office address. As soon as practicable he will in like manner report the nature of his duties, and from time to time any material change therein, and any change of address, to the same officers. An officer of a staff corps or department, or an officer serving therein who is not carried on department or post returns, will make similar reports to the Adjutant-General of the Army and the head of the corps or department, and such other reports as the chief of the bureau may require. An officer on the retired list will, unless specially exempted, report each change of address to the Adjutant-General of the Army.

**806.** An individual service report will be made on June 30 of each year by each officer of the Army, except general officers and the chief of each staff corps or department. All reports made by regimental officers will be



forwarded direct to the regimental commander, who will transmit them, with his own individual report, direct to the Adjutant-General of the Army. The reports of post chaplains will be sent to the Adjutant-General of the Army through post commanders. Reports made by staff officers will be forwarded direct to the chiefs of their respective corps or departments. Should any officer be unable, from any cause, to prepare his report on the required date, it will be forwarded at the earliest date practicable thereafter.

**807.** Efficiency reports will be made at the close of each fiscal year:

1. By the commander of each department, respecting each officer of his personal and departmental staff, and each officer who has commanded a post or important camp, or has been in charge of a supply depot under his command, and by each officer of the Corps of Engineers in charge of an engineering division, respecting each officer under his orders.

2. By the chief of each bureau, respecting each officer of the Army who is not otherwise reported upon under these regulations, but who reports directly to the bureau chief.

3. By the commanding officer of each post, important camp, arsenal, or armory; by each officer in charge of a depot, engineer in local charge of works, the commandant of each service school, and the Superintendent of the Military Academy, respecting each officer of the Army serving at any such post, camp, station, school, etc., during the year.

**808.** All efficiency reports respecting regimental officers and post chaplains will be forwarded to the Adjutant-General of the Army, and those respecting officers of the staff corps and departments to the chiefs of bureaus through intermediate commanders, who will indorse thereon such remarks as may be proper in each case.

**809.** Each officer who makes the annual inspection of the military department of any civil institution of learning will, immediately after the inspection, forward to the Adjutant-General of the Army an efficiency report respecting each Army officer on duty at the institution.

**810.** The Inspector-General will forward to the Secretary of War extracts of all inspection reports containing specially favorable or unfavorable mention of any officer. Extracts respecting regimental officers will be sent through the Adjutant-General of the Army, and those respecting officers of the staff corps or departments through the respective chiefs of bureaus. Copies of unfavorable reports will be sent by chiefs of bureaus to officers reported upon, for their remarks, and these, when received, will be filed with original extracts.

**811.** In preparing efficiency reports, reporting officers will exercise the greatest care to set forth all facts concerning each officer and his record which may aid the Department in forming a true estimate of standing, ability, and special fitness for any military duties.

**812.** Chiefs of staff corps and departments will note the correctness of the reports received and will add any data known to them which will contribute to the completeness of the record in each case. All service and efficiency reports will be transmitted to the Secretary of War as soon as practicable after their receipt, verification and completion.

**ARTICLE LXX.****PENALTY ENVELOPES.**

**813.** Official communications, and other mailable matter relating exclusively to the public business, will be transmitted through the mails free of postage, if inclosed in the "Penalty envelope."

**814.** Envelopes for official mail matter, for the bureaus of the War Department and Headquarters of the Army, will have "War Department," the designation of headquarters, bureau or office, "Official Business," printed in three or four lines, as may be required, in the upper left corner, and in the upper right corner the following: "Penalty for private use. \$300." Envelopes for the use of the headquarters of a territorial department, for a post, station, armory, arsenal, depot, or school of instruction, will be of the same form, with the proper substitution for the designation of the bureau or office, and with the address when necessary. Envelopes required for the transmission of printed matter may also have printed thereon "Printed matter." Other printing or ruling on such envelopes at public expense is prohibited, unless printed at the Government Printing Office. For the official business of officers not embraced in the foregoing classes, and officers on the retired list, the heading "War Department," "Official Business," will be placed across the left end of the envelope, with the officer's official signature written immediately below it, and with the penalty clause in the upper right corner.

**815.** Packages of public property weighing not more than four pounds may be sent through the mails under cover of the penalty envelope. Penalty envelopes with return address may be furnished to any person from whom official information is desired, or for the return of official vouchers, but will not be furnished to merchants or other dealers to cover the transmission of public property.

**816.** The use of freight or express lines for transmitting official letters or packages that can be sent by mail is forbidden.

**817.** The penalty envelope will not be used for foreign correspondence.

**ARTICLE LXXI.****THE RECRUITING SERVICE.****CLASSIFICATION AND DETAILS.**

**818.** The recruiting service is general and special—general when it concerns the whole Army, and special when it concerns particular military organizations.

**819.** Details of officers for the general recruiting service except at posts will ordinarily be for two years, and will be announced in orders from the Adjutant-General's Office.

**820.** Officers of the general recruiting service not at posts will not be ordered on any other duty, except by authority from the Adjutant-General's Office.

**RENDEZVOUS AND STATIONS.**

**821.** Recruiting stations are the places where recruits are enlisted. Recruit rendezvous are the designated posts at which general service recruits are collected for distribution to regiments.

**822.** Recruits at each rendezvous will constitute a recruit detachment to be instructed by officers and noncommissioned officers of the garrison detailed by the commanding officer or by others detailed for this purpose. The immediate command of the detachment will be vested in the senior officer on duty with it. In all matters of police and discipline these recruits are under the command of the post and department commanders, but in all other matters, including discharges for disability, they are directly under the orders of the Secretary of War. Each officer in command of a recruit detachment will forward, through the post commander, direct to the Adjutant-General of the Army, tri-monthly reports of the strength of the detachment. This strength will, if possible, be so limited as not to exceed that of a company of infantry.

#### ENLISTMENTS.

**823.** Any male citizen of the United States or person who has legally declared his intention to become a citizen, if above the age of twenty-one and under the age of thirty years, able-bodied, free from disease, of good character, and temperate habits, may be enlisted under the restrictions contained in this article. In regard to age or citizenship this regulation shall not apply to soldiers who have served honestly and faithfully a previous enlistment in the Army.

**824.** Applicants for original enlistment, and men who apply to re-enter the Army after an interval of more than three months from date of discharge, will be required to furnish evidence of good character. To determine an applicant's fitness and aptitude for the service, and to give him an opportunity to secure testimonials of character, he may, after having signed the declaration of intention to enlist and passed the required examination, be retained and provided for, not to exceed six days. Men so retained will be known as "recruits on probation." The enlistment paper of any such recruit who may be unfit or undesirable for the service, or who may not desire to remain in the service, will not be completed. The enlistment papers of recruits who are accepted and duly sworn will bear the date on which the enlistment is completed by administering the oath.

**825.** The enlistment of persons of any of the following classes is prohibited: Former soldiers whose service during last term of enlistment was not honest and faithful, insane or intoxicated persons, persons under the age of sixteen years, deserters from the military or naval service of the United States, persons who have been convicted of felony or who have been imprisoned under sentence of a court in a reformatory, jail or penitentiary, and, for first enlistment in time of peace, any person (except an Indian) who is not a citizen of the United States, or who has not made legal declaration of his intention to become a citizen of the United States, or who can not speak, read and write the English language, or who is over thirty years of age.

**826.** Recruiting officers will be very particular to ascertain the true age of the recruit. If any doubt exist as to the applicant's statement regarding his age, his oath will not be taken as conclusive evidence of the fact, and if he can not furnish competent proof to support his statement he will be rejected. Boys between the ages of sixteen and eighteen may be enlisted as musicians or to learn music, with the written consent of father, only

surviving parent, or legally appointed guardian, and the approval of the Adjutant-General of the Army. When a minor presents himself for enlistment under the provisions of this paragraph, his parents or guardian will be found and informed of the application.

**§27.** Recruiting officers will be held to a rigid accountability for the enlistment of men who may be found unfitted for the service. If a recruit, after having been enlisted, be rejected, or discharged as a minor, and it appear that the enlistment was carelessly made or in violation of these regulations, the expenses incurred in consequence of the enlistment may be stopped against the pay of the officer responsible.

**§28.** A person having a wife or minor child will not be enlisted without special authority from the Adjutant-General's Office.

**§29.** After the nature of the service and terms of enlistment have been fully explained to the applicant, and before the enlistment blanks are filled, the officer will read to him and offer for his signature the following declaration which will be contained in the enlistment paper :

I, ———, desiring to enlist in the Army of the United States for the term of three years, do declare that I have neither wife nor child ; that I am of the legal age to enlist, and believe myself to be physically qualified to perform the duties of an able-bodied soldier ; and I do further declare that I am of good habits and character in all respects and have never been discharged from the United States service (Army or Navy) or any other service on account of disability or through sentence of either a civil or military court, nor discharged from any service, civil or military, except with good character, and for the reasons given by me to the recruiting officer prior to this enlistment. [Here add, in case of an applicant for first enlistment : And that I am, or have made legal declaration of my intention to become, a citizen of the United States.]

Given at ———, this ——— day of ———, 18

Witness :

—————  
—————

If the applicant be a minor, his parents or guardian must give consent in writing in the following terms :

I, ———, do certify that I am the (father, only surviving parent, or guardian, as the case may be) of ——— ; that the said ——— is ——— years of age ; and I do hereby freely give my consent to his enlisting as a soldier in the Army of the United States for the period of three years.

Given at ———, this ——— day of ———, 18

Witness :

—————

This consent will appear on the enlistment paper and will follow the foregoing declaration.

**§30.** Recruiting officers will not allow any man to be enticed into the service by false representations, but will, in person, explain to every man before he signs the enlistment paper the nature of the service, the length of the term, the amount of pay, clothing, rations, and other allowances to which a soldier is entitled by law.

**§31.** As soon as practicable, and within six days after he has been accepted on probation, the following form of enlistment will be signed by and oath administered to the recruit :

STATE OF ———, city or town of ———, ss :

I, ———, born in ———, in the State of ———, aged ——— years and ——— months, and by occupation a ———, do hereby acknowledge to have voluntarily enlisted (or re-enlisted) this ——— day of ———, 18 ———, as a soldier in the Army of the United States of America, for the period of three years, unless sooner discharged by proper authority ; and do also agree

to accept from the United States such bounty, pay, rations, and clothing as are or may be established by law. And I do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the Rules and Articles of War.

Subscribed and duly sworn to before me this — day of —, A. D. 18 . [SEAL.]

*Recruiting Officer.*

This oath may be administered by any commissioned officer of the Army.

**§32.** Within six days after his enlistment, the Articles of War will be read to the recruit.

**§33.** Enlistment papers and recruiting returns will be made on printed forms furnished by the Adjutant-General of the Army, and will be executed and disposed of in accordance with directions thereon.

**§34.** The real name of the recruit will be ascertained, correctly spelled, and written in the same way wherever it occurs, and the Christian name will not be abbreviated.

**§35.** Enlistments will not be antedated so as to allow a soldier additional pay for re-enlistment who applies after the period for re-enlisting has expired; but when a soldier presents himself for re-enlistment and it is necessary to obtain information in his case, or the approval of higher authority, his re-enlistment may be made to antedate the time of administering the oath, but must not bear a date prior to the day on which he presented himself.

**§36.** When a soldier re-enters the service, the officer who enlists him will indorse on the enlistment paper next below his own name and regiment, "second (or third) enlistment," as the case may be, together with the company and regiment in which the soldier last served and the date of discharge from former enlistment. This information the recruiting officer will obtain if possible from the soldier's discharge, which the latter should be required to exhibit.

**§37.** An officer who enlists or re-enlists a man who has been discharged from the Army will immediately give notice of the fact to the commanding officer of the company from which the man was last discharged, stating, if practicable, designation of the organization to which he has been assigned. On receiving this notice the commander of the company from which the man was discharged will record the fact of enlistment or re-enlistment in the company descriptive book. Should it appear that deception has been practiced he will report the case to the Adjutant-General of the Army. The recruiting officer will enter the fact of enlistment or re-enlistment, with date and place upon the certificate of discharge from former enlistment, which the soldier should have in his possession.

**§38.** Applications to re-enter the Army from persons of any of the following classes will not be granted without special authority from the Adjutant-General of the Army:

1. Former soldiers who have been discharged before expiration of term of service, excepting those discharged under the provisions of paragraphs 144 and 145.
2. Former soldiers who have been discharged with character other than good, or its full equivalent.

3. Former soldiers over thirty-five years of age who were last discharged as privates and have failed to re-enlist within three months thereafter. In such cases the applications must show that the enlistments will be for the interests of the service.

4. A former soldier having a wife or minor child. In such a case application will not be made by telegraph, but will be forwarded by mail through post and regimental commanders in sufficient time to admit of receipt of reply by mail before date of discharge. The application must clearly set forth the fact that re-enlistment will be in the interests of the service.

5. Former soldiers who can not pass the required examination in all respects. To entitle an application of this nature to consideration it must have the recommendation of the soldier's former commanding officer, which should be given only when it is shown that any existing defects will not prevent the performance by the applicant of full military duty, and that his continuance in service will be a benefit to the Army.

**839.** Enlisted men of good character and faithful service who, at the expiration of their terms, are undergoing treatment for injuries incurred or disease contracted in the line of duty, may be re-enlisted if they so elect, and if the disability prove to be permanent they will subsequently be discharged on certificates of disability. An enlisted man not under treatment, but who has contracted in the line of duty infirmities that may raise a question of physical eligibility to re-enlistment, but not such as to prevent his performing the duties of a soldier, may be re-enlisted by authority of the War Department on application made through the surgeon and proper military channel in time to receive a decision before the date of discharge.

**840.** Commanding officers forwarding applications from men of their commands for permission to re-enlist for some other organization will report in each case whether the applicant is married or single, what character will be given him on discharge, and whether or not he can pass the required examination.

#### MEDICAL INSPECTION.

**841.** The physical examination of recruits will be conducted in accordance with the authorized manual for the examination of recruits. The enlistment paper of each recruit must show what indelible or permanent marks were found on his person.

**842.** The recruiting officer will be present at the physical examination of the recruit by the medical officer. When there is no medical officer, the recruiting officer will make the required examination. An applicant enlisted at a post where there is no medical officer will be re-examined within two weeks after enlistment, and before any clothing is issued to him, by a medical officer, or, in the absence of such officer, by the civilian physician employed by the Medical Department.

**843.** As soon as a recruit joins any rendezvous, regiment, or post, he will be examined by the medical officer, to ascertain whether vaccination is required. In all cases where there is not unmistakable evidence of successful vaccination within a reasonable period, the operation will be performed immediately.

**844.** A critical inspection by the senior medical officer present will be made of every recruit received at a rendezvous within two days after his

arrival, if he has not already undergone examination by a surgeon. Should the recruit be found unfit for service or to have been illegally enlisted, a board of officers will be called by the post commander to examine into the case, and if the board recommends the discharge of the recruit for physical disability it will fully report its reasons, based upon a thorough investigation of the case, and will show in its report whether the enlistment involved fraud, whether the disability existed prior to enlistment, when, where, and by whom the enlistment was made, and whether, in its opinion, the disqualification might have been discovered by the recruiting officer (with whom the board will communicate, and who will be given opportunity to be heard in the case) had due care been exercised. This report, together with the surgeon's certificate of disability and the original form for examining a recruit, will be forwarded by the post commander direct to the Adjutant-General of the Army.

**845.** Every detachment of recruits ordered from a recruit rendezvous to any regiment or post will, immediately preceding its departure, be critically inspected by the post commander and the senior medical officer present, and any sick or otherwise disabled will be held at rendezvous. A recruit deemed unfit for continuance in the service will not be sent to a regiment, but a board of officers will be convened to consider the case and report as indicated in the preceding paragraph.

**846.** Before recruits are forwarded from a rendezvous to regiments, the post commander will cause the character of each recruit to be entered upon the descriptive and assignment card, also the date and result of last vaccination. Officers in charge of detachments, if called upon, will exhibit the entries relative to vaccination to authorized inspectors of State boards of health.

**847.** Upon arrival at a post each recruit who has not undergone examination by a surgeon will be examined, and defects will be recorded by the medical officer, with his opinion as to whether they existed prior to enlistment. A certificate of disability will be submitted if the recruit is absolutely disqualified for the service. If the certificate be submitted, the post commander will carefully scan the answers made by the recruit on the "Form for the physical examination of a recruit," and if his answers show that fraud was practiced to secure his enlistment, the post commander will make full report of the facts to the Adjutant-General of the Army, and forward therewith the certificate and the examination form.

**848.** A register of the medical examination of recruits will be kept at each recruiting station and rendezvous. A report of the recruits examined during the preceding month will be forwarded, not later than the 6th day of every month, to the Surgeon-General, who will furnish blanks for the purpose, as well as blank registers of medical examination. When a register is filled it will be forwarded to the Surgeon-General. Cases of "recruits on probation" who have failed for any cause to complete their enlistment will be indicated by an appropriate entry in the column of remarks, both on the monthly reports to the Surgeon-General and in the register. Care must be taken to embody in these reports all needed information, including a record of the height, weight, chest measures, the complexion, and the color of the hair and eyes of every accepted applicant.

## RECRUITS SENT TO REGIMENTS.

**849.** Recruits will be assigned to regiments by the Adjutant-General of the Army, under the direction of the Secretary of War, from either general recruiting stations or rendezvous. Recruits designated for assignment will be borne on the rolls and returns of the stations or rendezvous until the date of departure therefrom, when the assignment will take effect; prior to that date they will not be taken up on the rolls of companies or regiments.

**850.** When recruits are sent to a regiment, a descriptive and assignment card for each will be given to the officer assigned to its command, or if no officer be so assigned the cards will be sent by mail.

**851.** When recruits are sent to regiments from rendezvous or other posts, the descriptive and assignment cards will be made by the post commander; when they go direct from a recruiting station not at a post, they will be made by the recruiting officer.

**852.** An officer intrusted with the command of recruits ordered to regiments will, on arriving at destination, forward the following papers:

1. To the Adjutant-General of the Army, a report of date of arrival at the post, the strength and condition of the party when turned over to the commanding officer, and all circumstances worthy of remark which occurred on the journey.

2. To the commanding officer of the regiment or post, the descriptive and assignment cards furnished him at the rendezvous or station, properly completed by noting in the column for remarks time and place of death, desertion, or other casualty that may have occurred.

**853.** The descriptive and assignment card of every recruit sent to a regiment, with remarks showing final disposition of the recruit, and number of regiment and letter of company to which he has been assigned, will be signed and forwarded to the Adjutant-General of the Army by the officer who makes the assignment.

## DEPARTMENT AND REGIMENTAL RECRUITING.

**854.** Every post is a general recruiting station for the whole Army, and recruiting thereat will be conducted by an officer of the garrison detailed by the commanding officer. The commander of each detachment of troops absent from its permanent station will, if he deem it advisable, designate an officer for this duty.

**855.** The recruiting officer at any post may make enlistments to fill vacancies in the troops of the line serving thereat, and, when authorized by the department commander, for those serving at other posts in the same territorial department. He may make enlistments for any organization in the service when authorized by the Adjutant-General of the Army. An applicant will be subjected to the required examination before application is made for special authority for his enlistment.

**856.** Regimental recruiting may be carried on away from posts by one or more officers detailed from a regiment by its commander, with the approval of the department commander under authority of the War Department, and in accordance with instructions from the Adjutant-General of the Army. A regimental recruiting officer, with the authority of the Adjutant-General of the Army, may make enlistments for any organization in the service.



## ARTICLE LXXII.

## INSPECTOR-GENERAL'S DEPARTMENT.

## GENERAL PROVISIONS.

**857.** The sphere of inquiry of the Inspector-General's Department includes every branch of military affairs except when specially limited in these regulations or in orders. Inspectors-general and acting inspectors-general will exercise a comprehensive and general observation within their respective districts over all that pertains to the efficiency of the Army, the condition and state of supplies of all kinds, of arms and equipments, of the expenditure of public property and moneys, and the condition of accounts of all disbursing officers of every branch of the service, of the conduct, discipline and efficiency of officers and troops, and report with strict impartiality in regard to all irregularities that may be discovered. From time to time they will make such suggestions as may appear to them practicable for the cure of any defect that may come under their observation.

**858.** Inspectors-general and acting inspectors-general are under the orders of the Secretary of War and the Commanding General of the Army only, and all orders, not confidential, will be issued from the Adjutant-General's Office and transmitted to them through the Inspector-General of the Army. They will make the general inspections within the limits of their respective districts, and will each be allowed the necessary clerks and one messenger, who will be assigned by the Secretary of War.

**859.** An officer on duty in the Inspector-General's Department, upon arriving at his station, will report by letter to the Inspector-General of the Army, and thereafter will report the execution of all orders received through him, together with date of departure from and return to his station. Prior to starting on a tour of inspection he will furnish the Inspector-General an itinerary of his route and approximate dates of arrival and departure from each station to be visited.

**860.** An inspector-general or acting inspector-general will give a department commander, within the limits of whose command he is ordered to make inspections, timely notice of his orders and of the date when he desires to execute them. He will also make known to commanding and other officers whose troops and affairs he is directed to inspect his orders or instructions, and these officers will see that every facility and assistance, including clerical aid, if requested, is afforded.

**861.** An inspector-general or acting inspector-general will not give orders unless specially authorized to do so, and then only in the name of the superior giving such authority. He will report with strict impartiality all irregularities. He should refrain from informal conversation or comment upon subjects under investigation.

**862.** An inspector-general or acting inspector-general will exercise the greatest care that he does no injustice to organizations or individuals. When investigating accusations prejudicial to the character of an officer, he will make known to the officer their nature, and give him an opportunity to make his own statement in writing, which will be appended to the report.

Copies or extracts from an inspection report, reflecting upon or commending the character or efficiency of an officer, may be furnished him by the commander through whom the report is submitted.

**863.** An inspector-general or acting inspector-general detailed to investigate attempts to defraud the Government, or misconduct on the part of any officer or agent of the United States, has authority to administer oaths to witnesses.

#### SPECIAL DUTIES.

**864.** Inspectors-general and acting inspectors-general will, from time to time, designate the articles which in their opinion should be procured and kept for sale by the Subsistence Department to officers and enlisted men. These recommendations will be submitted to the Secretary of War for his action.

**865.** All matters pertaining to the supervision of the accounts of the receipts and expenditures of the National Home for Disabled Volunteer Soldiers, under acts of Congress, are assigned to the Inspector-General of the Army under the direction of the Secretary of War.

#### STATED INSPECTIONS.

**866.** In addition to the inspection of the Soldiers' Home required by law, the Inspector-General of the Army will, in person, make an annual inspection of the National Home for Disabled Volunteer Soldiers, its records, disbursements, management, discipline, and condition, and report in writing the results of such inspection to the Secretary of War.

**867.** Officers of the Inspector-General's Department will inspect once in each year all military commands, garrisoned posts and camps, and once in two years such ungarrisoned posts and national cemeteries as can be visited without departing materially from the routes of other prescribed inspections.

**868.** All depots, armories, arsenals, and public works of every kind under charge of officers of the Army, except works of engineering conducted under the direction of the Secretary of War and supervision of the Chief of Engineers, will be inspected annually by officers of the Inspector-General's Department. These inspections will include military and business administration and methods, but will not extend to the scientific or technical character of work for which the officer in charge is responsible, through the head of his department, to the Secretary of War.

**869.** Inspections of the Military Academy will be made only under specific instructions given in each case by the Secretary of War, and inspections of the service schools, in so far as they are distinct from posts, under similar instructions given by the Secretary of War or the Commanding General of the Army.

**870.** The military department of civil institutions of learning at which officers of the Army are detailed will be inspected annually, near the close of the college year, under specific instructions. The inspecting officer, upon his arrival at the institution, will apply to the president or the administrative officer thereof for such aid or facilities as he may require. His report will be sent to the Inspector-General of the Army, then to the Adjutant-General of the Army for note and return, and a copy furnished the president of the institution by the War Department.

**871.** The inspection of disbursements and money accounts of disbursing officers required by act of April 20, 1874, will be made by officers of the Inspector-General's Department or others detailed for that purpose, and, as far as practicable, at irregular intervals, but no officer so detailed shall be in any way connected with the corps or staff department making the disbursement. The frequency of these inspections will be regulated by the Secretary of War.

**872.** Reports of prescribed inspections of troops, stations, and accounts of disbursing officers under the authority of department commanders will be forwarded through department headquarters to the Adjutant-General of the Army and transmitted to the Inspector-General of the Army. In case irregularities, deficiencies, or misconduct are reported, a department commander in forwarding a report will state what remedies he has applied or will apply to correct them, adding any recommendations that he may desire to make. All other reports of inspections will be forwarded direct to the Inspector-General of the Army, except when otherwise specially directed, and all inspection reports not confidential will be filed in his office. The Inspector-General will forward to the Commanding General of the Army extracts that relate to discipline and efficiency, and to the chiefs of bureaus extracts that relate to fiscal affairs.

#### METHODS OF INSPECTION.

**873.** Inspections of troops will be conducted as prescribed in the authorized drill regulations. When the command consists of more than one company the inspection will, if practicable, be preceded by a review.

**874.** Inspectors-general and acting inspectors-general will concisely report the strength, efficiency, and armament of each garrison and post, the date of last inspection, and all irregularities and defects, with such suggestions or recommendations as they deem pertinent. They will also report what remedies have been applied to correct irregularities reported at former inspections. The subjects usually covered by such reports should be as follows:

1. Names of officers present, those absent on detached duty or otherwise, and those permanently incapacitated for any duty from any cause; whether the number of enlisted men in ranks at inspection corresponds to returns, how absentees are accounted for, and how many appear under arms at inspection; the number of men in the band, and if any are not musicians.

2. Whether the post is adequately armed and supplied, and maps of the post and of the country in its vicinity kept.

3. Whether the commanding officer observes the system of instruction and treatment of subordinates enjoined by the regulations, and properly executes the laws relating to neutrality, quarantine, and the regulations concerning international courtesy, so far as applicable to his post; whether justice is promptly and legally administered; the zeal of the commanding officer and his ability to perform his duties.

4. Whether officers are efficient, reporting any intemperance or immorality, and mentioning any officer or soldier who has distinguished himself, or shown special efficiency in any department of study or duty.

5. The manner in which chaplains perform their duties.

6. The efficiency of administrative and staff officers, the correctness of

their accounts; whether payments and issues are made in accordance with law and regulations, and whether surplus supplies are taken up on returns and deficiencies accounted for.

7. Efficiency, discipline and appearance of the troops; state of arms, equipments and accoutrements of all kinds; sufficiency, uniformity and fit of clothing; instruction, theoretical and practical, of noncommissioned officers and privates in military exercises and duties; nature and amount of drills, recitations in tactics and drill regulations, target practice, practice marches, practice in outpost duty, field service, minor tactics, and gymnastic exercises; efficiency in signaling; regularity of payment of the troops, their health and whether the sick are properly cared for.

8. Police and sanitation of the post; cleanliness, state of repair, and sanitary condition of all buildings.

9. Whether there are suitable rooms for use, respectively, as a library, reading room, chapel, and school; sufficient quantities of newspapers and periodicals, schoolbooks, stationery and school material for the use of enlisted men; whether the newspapers, periodicals, and schoolbooks are solely used by enlisted men; whether the library rooms are used at all by officers, and, if so, whether it interferes with their use by enlisted men; the attendance and progress of pupils and the system of instruction.

10. System of messing, sufficiency, variety and preparation of food.

11. Whether labor of the supply departments is performed by troops or civilians; if by the latter, their number, cost attending and reasons for their employment and kind of labor performed by them.

12. Means of transportation and its condition; training, grooming, shoeing, suitability, veterinary treatment and condition of public animals, and number unserviceable.

13. Condition of all public property, and whether used for private purposes; whether buildings and property are properly secured against fire, theft and damage.

14. Whether sales of subsistence stores are made to enlisted men according to regulations; whether there are damaged stores, and if so, in what quantities and how damage was caused.

15. Water supply, facilities for laundry work, bathing and swimming, system and condition of sewerage and drainage, and means of extinguishing fire.

16. Management and success of post exchange, and whether properly supplied and conducted according to regulations; extent, necessity for, and kind of gardens, success attending, and number of men employed therein.

17. Management and application of the regimental, bakery, company, and mess funds, and whether the provisions of Articles XXXIV and XXXV are complied with.

18. Whether regimental, post, and company books, papers and files, and those of the post staff departments, including chaplain's register, are properly kept, and the prescribed rolls and returns are properly prepared and promptly forwarded.

19. Condition of post cemetery and its records.

20. Efficiency of hospital corps and company bearers in ambulance and litter-bearers' drill, and methods of rendering first aid to the wounded.

**§75.** On completion of an inspection of a post or other command of troops under department supervision, the inspector-general or acting inspector-general will furnish its commanding officer a written statement of all

irregularities and deficiencies observed, which will be kept on file for the information of commanding officers and inspectors. The commanding officer will, as soon as practicable, submit to the department commander a copy of this statement, with a report showing what remedies he has applied or will apply to correct each of the irregularities or defects found, and will recommend the proper action with regard to those that he has not power or authority to remedy. At stations not under the supervision of department commanders, inspectors-general and acting inspectors-general will furnish like statements, and commanding officers will forward copies with reports to the authority that ordered the inspection.

#### DISBURSEMENTS AND ACCOUNTS.

**876.** Inspectors-general and acting inspectors-general will inquire as to the necessity, economy and propriety of all disbursements, their strict conformity to the law appropriating the money, and whether the disbursing officers comply with the law in keeping their accounts and making their deposits. A statement of receipts and expenditures and of the distribution of funds, with a list of outstanding checks, on forms furnished by the Inspector-General of the Army, will be submitted by the disbursing officer to the inspector, who should immediately transmit the list of outstanding checks to the several depositories. Upon return from a depository, balances will be verified and noted on the inspection report, which will then be forwarded to the Inspector-General. The list of outstanding checks will be retained by the inspector, and a copy, with indorsements thereon, sent to the Inspector-General.

**877.** When an officer ceases to act as a disbursing officer he will submit to the officer to whom the inspection of his accounts has been assigned a statement of his money accounts from date of last inspection to and including the closing of his accounts, with a list of outstanding checks. If an inspection be impracticable, the statement will be forwarded to the Inspector-General of the Army.

#### PROPERTY FOR CONDEMNATION.

**878.** Inspections having in view the condemnation of property will be made by inspectors-general, acting inspectors-general, or officers specially designated by the commander of a department, the commander of an army in the field, or higher authority. Officers designated for the foregoing purpose shall not be in any way connected with the staff department, corps, post, or particular organization to which the property to be inspected pertains, except in case of unserviceable public animals or of small quantities of rapidly deteriorating subsistence stores, unfit for sale or issue to troops but not worthless, if delay would entail loss to the Government.

**879.** Officers will prepare and sign in triplicate, on blank forms furnished by the Inspector-General of the Army, inventories of public property requiring inspection, and present them, with the property, to the inspector-general or acting inspector-general at the time of his annual visit. In the case of rapidly deteriorating subsistence stores or of unserviceable public animals, such inventories will be prepared when necessary, and unless the time of the annual visit of an inspector be near at hand, one copy will be forwarded to

the commander of the department or army in the field. Public animals will be inventoried singly, with a brief description of color, sex, age, and distinguishing marks.

**SS0.** As far as practicable, inventories of unserviceable property will state the cost of the articles, and in case of damaged or inferior stores the depot whence obtained, the marks upon them, with marks on original packages, and names of contractors and inspectors.

**SS1.** For inspection the property will be arranged in the order of enumeration in the inventory, every article will be examined by the inspector, and the officer responsible will accompany him and be prepared to give all necessary information in regard to it.

**SS2.** Inspectors will examine all property properly presented for condemnation. When all property presented has been destroyed in the presence of the inspector, one inventory will be forwarded by the inspecting officer through department headquarters to the Inspector-General of the Army and the others will be delivered to the accountable officer. In cases in which the inspector recommends the sale of any property or its transfer to depots, he will forward all the inventories to department headquarters, and if the inspector's action is approved by the department commander, except as provided in paragraphs 1525 and 1526, two will be returned to the accountable officer and the other forwarded to the Adjutant-General of the Army to be transmitted to the Inspector-General of the Army, and, in similar cases, when the accountable officer is not serving under the department commander and all the property has been destroyed in the presence of the inspector, one copy of the inventory will be forwarded to the Inspector-General of the Army and two to the accountable officer, or if sale or transfer of the property is recommended, the inspecting officer will forward all the inventories to the Inspector-General of the Army, who will forward them to the Secretary of War, through the chief of bureau concerned; one copy will be returned to the Inspector-General and two to the accountable officer.

**SS3.** Inspectors will exercise great care in examining property submitted to them for condemnation, and in making recommendations regarding its disposition. Articles "to be continued in service" are such as are still serviceable. Those "to be dropped" from the returns are such as can not be sold at the post and are not worth cost of transportation to an arsenal or depot for repair. If worthless, they must be so far destroyed as to prevent any possibility of future presentation. Such articles as can not be destroyed will, when practicable, be marked "I. C." (inspected—condemned), or will be broken up and the serviceable parts retained. Condemned animals will be branded "I. C." on the neck under the mane. Should the inspector's recommendation be disapproved in regard to articles marked "I. C.," the marks will be canceled and a certificate of the fact given to the responsible officer. Suitable brands and stencils will be kept for use of inspectors at posts and depots. Articles "to be sold at post" are such as are of no further public use, or not worth cost of transportation to a depot. Those "to be turned into depot" are such as can not be repaired at the post, and are worth cost of transportation.

**SS4.** Public property in use will not be reported as unserviceable, nor condemned by an inspector merely because worn or shabby in appearance, when really strong and serviceable.

**885.** Great care will be taken to prevent property once condemned and ordered dropped from the returns from being again presented for inspection. When public property is presented to an inspector for condemnation the officer responsible will certify on the inventory that the property has not been previously condemned.

**886.** Inspectors will, when practicable, cause the destruction in their presence of all property found to be worthless and which is without money value at or near the place of inspection, and will state in their reports that "the articles recommended to be destroyed have no money value at or near the post." The action of an inspector on property of this character will be final, and his report will be a valid voucher for the responsible officer. When property thus condemned is not destroyed in the presence of the inspector the responsible officer will certify to the fact of subsequent destruction in his presence.

**887.** An inspection report on damaged clothing will set forth the amount of damage to each article ; also a list of such articles as are fit for issue to prisoners, or, at reduced prices, to enlisted men willing to receive them.

**888.** Department commanders, the commander of an army in the field, or the Commanding General of the Army, may give orders, on the reports of authorized inspectors, to sell, destroy, or make such other disposition of condemned property as the case may require, except the sale of ordnance and ordnance stores and the destruction of saddles issued by the Ordnance Department, for which the orders of the Secretary of War must be given. If the property be of considerable value, and there be good reason to suppose that it can be more advantageously applied or disposed of elsewhere than within the command, the matter will be referred to the War Department through the Adjutant-General of the Army.

**889.** Orders for the final disposition of condemned property will be indorsed by the proper authority on the inspection reports, each copy being made complete in itself. One will be forwarded, through military channels, to the Inspector-General of the Army, and the others to the accountable officer, who will forward one, or suitable extracts therefrom, with his accounts, and file the other with his retained papers.

### ARTICLE LXXIII.

#### JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

**890.** The Judge-Advocate-General's Department is the bureau of military justice. The Judge-Advocate-General is the custodian of the records of all general courts-martial, courts of inquiry, and military commissions, and of all papers relating to the title of lands under the control of the War Department, except the Washington Aqueduct and the public buildings and grounds in the District of Columbia. The officers of this department render opinions upon legal questions when called upon by proper authority.

**891.** The judge-advocate of each department, or the officer acting as such, will, as soon as practicable after August 31 of each year, render to the Judge-Advocate-General a report for the year terminating on that date, giving the number and character of cases tried by courts-martial in the department during the period. This report will separately classify the trials

of officers and enlisted men, and show whether by general, garrison, or summary courts, the number of acquittals in each class and the number of different men tried by inferior courts, and contain his recommendations and remarks touching the administration of military justice.

**892.** The original proceedings of all general courts-martial, courts of inquiry, and military commissions, with the decisions and orders of the reviewing authorities made thereon, and the proceedings of all general courts-martial, courts of inquiry, and military commissions which require the confirmation of the President, but which have not been appointed by him, will be forwarded direct to the Judge-Advocate-General. One copy of the order promulgating the action of the court, and a copy of every subsequent order affecting the case, will be forwarded to the Judge-Advocate-General, with the record of each case. When more than one case is embraced in a single order, a sufficient number of copies will be forwarded to enable one to be filed with each record. The proceedings of all courts and military commissions appointed by the President will be sent direct to the Secretary of War.

**893.** Judge-advocates and acting judge-advocates will forward to the Judge-Advocate-General, on June 30 each year, with the reports prescribed in paragraph 197, lists of the law books for which they are responsible.

**894.** Applications of officers, enlisted men, and military prisoners for copies of proceedings of general courts-martial, to be furnished them under the 114th Article of War, will, when received by post or other commanders, be forwarded direct to the Judge-Advocate-General.

**895.** Communications relating to proceedings of military courts on file in the Judge-Advocate-General's Department will be addressed and forwarded direct by department commanders to the Judge-Advocate-General. In routine matters, the Judge-Advocate-General and judge-advocates may correspond with each other direct.

**896.** The reports which the Judge-Advocate-General may render upon cases received by him, and which require the action of the President, will be addressed to the Secretary of War and will be forwarded, through the Commanding General of the Army, for such remarks and recommendations as he may see fit to make.

## ARTICLE LXXIV.

### ARREST AND CONFINEMENT.

**897.** Commanding officers only have power to place officers in arrest, except as provided in the 24th Article of War. An arrest may be ordered by the commanding officer, in person or through his staff officer, orally or in writing.

**898.** An officer arrested will repair at once to his tent or quarters, and there remain until more extended limits have been granted by the commanding officer, on written application. Close confinement will not be enforced except in cases of a serious nature.

**899.** Officers will not be placed in arrest for light offenses. For these the censure of the commanding officer will generally answer the purpose of discipline. Whenever a commanding officer places an officer in arrest and



releases him without preferring charges, he will make a written report of his action to the department commander, stating the cause. The department commander, if he thinks the occasion requires, will call on the officer arrested for any explanation he may desire to make, and take such other action as he may think necessary, forwarding the papers to the Adjutant-General of the Army for file with the officer's record, or for further action.

**900.** A medical officer, charged with the commission of an offense, need not be placed in arrest until the court-martial for his trial convenes if the service would be inconvenienced thereby, unless the charge is of a flagrant character.

**901.** An officer in arrest will not wear a sword nor visit officially his commanding or other superior officer, unless directed to do so. His applications and requests of every nature will be made in writing.

**902.** On the march, field officers and noncommissioned staff officers in arrest will follow in the rear of their respective regiments, and company officers and noncommissioned officers in arrest, in rear of their respective companies, unless otherwise specially directed.

**903.** Enlisted men serving sentences of confinement, not involving dishonorable discharge, will be designated "garrison prisoners;" those sentenced to dishonorable discharge, "general prisoners."

**904.** Noncommissioned officers will not be confined at the guardhouse in company with privates, except in aggravated cases or where escape is feared, but will be placed in arrest in their barracks or quarters.

**905.** Except as provided in the 24th Article of War or when restraint is necessary, no soldier will be confined without the order of an officer, who shall previously inquire into his offense.

**906.** The arrest of a noncommissioned officer or the confinement of a soldier will, as soon as practicable, be reported to his company or detachment commander by the officer authorizing the arrest.

**907.** Prisoners awaiting trial by, or undergoing sentence of, general court-martial, and those confined for serious offenses will, if practicable, be kept apart from those confined by sentence of an inferior court, or for minor offenses. Enlisted men awaiting trial or awaiting result of trial will not be sent to work with garrison or general prisoners if it can be avoided, and may, in the discretion of the commanding officer, be required to attend drills, or sent to work under charge of a sentinel during the usual working hours. General prisoners will not be confined with other prisoners except in cases of necessity.

**908.** All persons under guard without written charges will be released by the old officer of the day at guard mounting, unless specific orders to the contrary have been given in each case by the commanding officer.

**909.** Prisoners will not be placed in irons except under sentence of court-martial, or in the extraordinary case of a prisoner who, in the judgment of the commanding officer, is a desperate or dangerous character, and in each such case report of action and the circumstances will be immediately made to the department commander. A prisoner may be shackled or handcuffed while being transported from one post to another, or from a post to a penitentiary when, in the judgment of the officer in charge, the escape of the prisoner can not otherwise be prevented.

**910.** The Secretary of War will designate certain posts as places where general prisoners sentenced to confinement for six months or more shall serve their sentences. Special rules and regulations will be promulgated by the War Department to govern the enforcement of discipline, the methods of guarding, and the treatment of these prisoners, also the measure of labor to be imposed and the character of clothing and diet to be furnished them.

**911.** Prisoners will be forwarded from places where tried to posts at which they are sentenced to serve confinement only on orders of department commanders or higher authority. The strength of guards to accompany them will be limited to the necessities of safe delivery. The commanding officer of a post from which a prisoner is transferred will send under seal to the commanding officer of the post where the sentence of confinement is to be executed the following papers in his case, viz: Discharge papers, if discharged, descriptive list, orders promulgating and modifying sentences, statement of conduct while under sentence to date of transfer, and a list of clothing in possession of the prisoner when forwarded.

**912.** All serviceable clothing which belongs to a prisoner, and his blankets, will accompany him to the post designated for his confinement, and will be fully itemized on the clothing list mentioned in the preceding paragraph. The guard in charge of the prisoner during transfer will be furnished with a duplicate of this list and will be held responsible for the delivery of all articles itemized therein, with the prisoner. At least one serviceable woolen blanket will be sent with every such prisoner so transferred.

**913.** The personal effects of military prisoners who have escaped from confinement, except such as possess some special value as keepsakes, may be disposed of by sale as in the case of effects of deceased soldiers, and the proceeds thereof, together with any money left by the prisoner in the hands of the company commander, be turned over to a paymaster, who should account for the same in the manner provided for paymasters' collections. The officer will take the paymaster's receipt for the amount paid him and forward the same to the Auditor for the War Department.

**914.** A general prisoner, when released from confinement at a post, will be carefully examined and a record of all marks, scars and physical peculiarities made by a medical officer on the outline figure card used in the examination of recruits, which the medical officer will forward direct to the Surgeon-General.

**915.** Prisoners will be allowed in abatement of their terms of confinement five days for each period of twenty-five days during the whole of which their conduct has been good; but abatements thus earned may be forfeited, either in whole or in part, by subsequent misconduct. Such forfeitures are determined by the commanding officer of the post where a prisoner is confined.

**916.** The power to pardon or mitigate punishment imposed by a court-martial, vested in the authority which confirms the proceedings, extends only to unexecuted portions of a sentence, and continues only while the prisoner remains under the jurisdiction of that authority; the fact that a soldier has been dishonorably discharged through his sentence does not affect this power. An application for clemency in case of a general prisoner sentenced to confinement in a penitentiary will be forwarded to the Secretary of War for the action of the President.

## ARTICLE LXXV.

## COURTS-MARTIAL.

**917.** The order appointing a court-martial will name its members in order of rank, and they will sit according to rank as announced. A decision of the appointing authority as to the number that can be assembled without injury to the service is conclusive.

**918.** The place of holding a court is designated by the authority appointing it. Courts will be assembled at posts or stations where trial or examination will be attended with the least expense. A member stationed at the place where it sits is liable to duty with his command during adjournment from day to day. Courts will, as far as practicable, hold their sessions so as to interfere least with ordinary routine duties, and when necessary for the sake of immediate example it will be ordered to sit without regard to hours.

**919.** A president of the court will not be announced. The officer highest in rank present will act as president.

**920.** A court-martial has no power to punish its members, but for disorderly conduct a member is liable as for other offenses against military discipline. Improper words used by him should be taken in writing, and any disorderly conduct reported to the appointing authority.

**921.** When a court sits in closed session the judge-advocate will withdraw, and when legal advice or assistance is required, it will be obtained in open court.

**922.** The judge-advocate will summon the necessary witnesses for the trial, but will not summon witnesses at the expense of the Government without the order of the court unless satisfied that their testimony is material and necessary.

**923.** Judge-advocates of military courts, in issuing process under section 1202, Revised Statutes, to compel the attendance, as witnesses, of persons not in the military service, will formally direct the same to an officer designated by the department commander to execute it. The nearest military commander will furnish the necessary military force for the execution of the process, if force be required. A subpoena may be served by any person.

**924.** Judge-advocates of courts-martial will, whenever it is possible, send subpoenas through military channels.

**925.** An officer or enlisted man who receives a summons to attend as a witness before any military court, board, civil court, or other tribunal competent to issue subpoenas, which is sitting beyond the limits of the department where he is serving, will, before starting to obey the summons, forward it through the proper channel to his department commander, that necessary orders, or authority to obey a civil process, may be given. In urgent cases, or when the public interest would be liable to suffer by delay, a post commander may authorize immediate departure, reporting his action and reasons therefor to the department commander.

**926.** The commanding officer of a post where a general court-martial is convened will, at the request of any prisoner who is to be arraigned, detail as counsel for his defense a suitable officer, one not directly responsible for the discipline of an organization serving thereat, nor acting as a summary court. If there be no such officer available the fact will be reported to the

appointing authority for action. An officer so detailed should perform such duties as usually devolve upon counsel for defendant before civil courts in criminal cases. As such counsel he should guard the interests of the prisoner by all honorable and legitimate means known to the law.

**927.** Charges against an enlisted man forwarded to the authority competent to appoint a general court for his trial will be accompanied by a statement in the prescribed form setting forth the dates of his present and former enlistments, the character upon each of the discharges given him, and the date of his confinement for the offenses alleged in the charges. This statement is intended simply for the information of the convening authority, and will not be introduced in evidence nor made a part of the record of the trial, but will be returned to the convening authority with the record.

**928.** Commanding officers will, before forwarding charges, personally investigate them, and, by indorsement on the charges, will certify that they have made such investigation, and whether, in their opinion, the charges can be sustained.

**929.** In every case where evidence of previous convictions is admissible, and the accused is convicted of the offense, the court, after determining its findings and before awarding sentence, will be opened for the purpose of ascertaining whether there be such evidence; and if so, of hearing it. These convictions must be proved by extracts from the records of previous trials, or by duly authenticated orders promulgating the same. The proper evidence of previous convictions by summary court is the copy of the summary court record furnished to company and other commanders, as required by paragraph 932, or one furnished for the purpose, and certified to be a true copy by the post commander or adjutant. When the proof produced is the copy furnished to the company or other commander, it will be returned to him and a copy of it attached to the record of the general, regimental, or garrison court trying the case. Charges forwarded to the authority ordering a general court, or submitted to a summary, garrison, or regimental court, must be accompanied by the proper evidence of previous convictions, when such evidence is admissible.

**930.** Commanding officers are not required to bring every dereliction of duty before a court for trial, but will endeavor to prevent their recurrence by admonitions, withholding of privileges, and taking such steps as may be necessary to enforce their orders.

**931.** Noncommissioned officers above the rank of corporal will not, if they object thereto, be brought to trial before regimental, garrison, or summary courts-martial, without the authority of the officer competent to order their trial by general court-martial; nor will sergeants of the post non-commissioned staff or hospital stewards be reduced, but they may be dishonorably discharged whenever reduction is included in the limit of punishment.

**932.** Charges preferred for offenses cognizable by inferior courts will be laid before the post commander, who, if he thinks that the accused should be tried, will cause him to be brought before the summary court, where he will be arraigned and allowed to plead according to prevailing court-martial practice. If an accused neither demands a removal of his case to a regimental or garrison court, nor (he being a noncommissioned officer above the grade of corporal) objects to trial by an inferior court, nor pleads guilty, and the summary court officer is not the accuser, witnesses will be

sworn and evidence received—the accused being permitted to testify in his own behalf and make a statement; but the evidence and statement will not be recorded. The summary court, as soon as trial is concluded, will record its findings and sentence in the prescribed record book and submit it to the post commander, who will record therein his approval or disapproval, in part or whole, with date and signature. Should the post commander be the summary court, the findings and sentence will be recorded in like manner. No other record of the proceedings will be kept, and such trials will not be published in orders. Post commanders will furnish company and other commanders with copies of the summary court record relating to men of their commands, said copies to be certified to be true copies by the post commander or adjutant.

**933.** When a post commander sits as a summary court, no approval of the sentence is required by law, but he should sign the sentence as post commander and date his signature.

**934.** Charges submitted for trial by a summary court should be accompanied by evidence of previous convictions, to be furnished when practicable by the officer preferring the charges; or if the evidence is contained in the summary court record book, a reference to it will be sufficient. If this evidence is not submitted or cited, the summary court may take judicial notice of any such evidence which that book contains.

**935.** The summary court will be opened at a stated hour every morning except Sunday, for the trial of such cases as may properly be brought before it. Trials will be had on Sunday only when the exigencies of the service make it necessary. The commanding officer, and not the court, will determine when and what cases shall be brought before it. Delay in the trial of a soldier by summary court does not invalidate the proceedings, but may be considered by the court in awarding sentence.

**936.** Summary courts are subject to the restrictions named in the 83d Article of War. Soldiers against whom charges may be preferred for trial by summary court will not be confined in the guardhouse, but will be placed in arrest in quarters, before and during trial and while awaiting sentence, except when in particular cases restraint may be necessary.

**937.** Whenever, under the provisions of the summary court act, it becomes necessary to convene a garrison or regimental court, the order appointing it will state the fact that brings the case within the exceptions of the law.

**938.** Whenever by any of the Articles of War punishment is left to the discretion of the court, it shall not, in time of peace, be in excess of a limit which the President may prescribe. The limits so prescribed are set forth in the Manual for Courts-Martial, published by authority of the Secretary of War.

**939.** Sentences imposing tours of guard duty are forbidden.

**940.** When the sentence of a court-martial prescribes imprisonment, the court will state therein whether the prisoner shall be confined in a penitentiary or at a post, being guided in its determination by the 97th Article of War.

**941.** General courts-martial may sentence soldiers to confinement in a penitentiary for offenses which are thus punishable by some statute of the United States or by a statute or the common law of the State, Territory, or District in which the offenses are committed. Department commanders will

designate the United States Penitentiary at Fort Leavenworth, Kansas, as the place of execution of such sentences, in cases in which the term of confinement imposed is more than one year. If any State or Territory within a military department has made provision by law for the confinement of such prisoners in its penitentiaries, the department commander, with the approval of the Secretary of War, may designate one as the place of execution of sentence.

**942.** When the court has sentenced a prisoner to confinement at a post, no power is competent to increase the punishment by designating a penitentiary as the place of confinement.

**943.** When a sentence of confinement or forfeiture is in excess of the legal limit, the part within the limit is legal and may be executed.

**944.** When the date for the commencement of a term of confinement imposed by sentence of a court-martial is not expressly fixed by the sentence, the term of confinement begins on the date of the order promulgating it. The sentence is continuous until the term expires, except when the person sentenced is absent without authority.

**945.** The order promulgating the proceedings of a court and the action of the reviewing authority will, when practicable, be of the same date. When this is not practicable, the order will give the date of the action of the reviewing authority as the date of the beginning of the sentence. This does not apply to sentences of forfeiture of all pay and allowances. A soldier awaiting result of trial will not be paid before the result is known.

**946.** The authority which has designated the place of confinement, or higher authority, may change the place of confinement of any prisoner under the jurisdiction of such authority.

**947.** A sentence to confinement, with or without forfeiture of pay, can not become operative prior to the date of confirmation. If it be proper to take into consideration the length of confinement to which the prisoner has been subjected previous to such confirmation, it may be done by mitigation of sentence.

**948.** When soldiers awaiting result of trial or undergoing sentence commit offenses for which they are tried, the second sentence will be executed upon the expiration of the first.

**949.** A sentence adjudging a dishonorable discharge, to take effect at such period during a term of confinement as may be designated by the reviewing authority, is illegal.

**950.** The time at which a dishonorable discharge is to take effect, as fixed by a sentence, can not be postponed by the reviewing officer.

**951.** When a sentence imposes forfeiture of pay, or of a stated portion thereof, for a certain number of months, it stops for each of those months the amount stated. Thus: "Ten dollars of monthly pay for one year" would be a stoppage of \$120. When the sentence is silent as to the date of commencement of forfeiture of pay, the forfeiture will begin at the date of promulgation of the sentence in orders, and will not apply to pay which accrued previous to that date.

**952.** An order remitting a forfeiture of pay operates only on the pay to become due subsequent to the date of the order.

**953.** Notwithstanding a sentence contemplates payment of a stated sum to a soldier upon his release from confinement, it can not be made unless there is a sufficient balance to his credit after all authorized stoppages are deducted.

**954.** Every court-martial will keep a complete and accurate record of its proceedings, which will be authenticated in each case by the signatures of the president and judge-advocate, the latter affixing his signature to each day's proceedings.

**955.** The judge-advocate will transmit the proceedings without delay to the officer having authority to confirm the sentence, who will state at the end of the proceedings in each case his decision and orders.

**956.** The complete proceedings of a garrison or regimental court will be transmitted without delay by the post or regimental commander to department headquarters.

**957.** When the record of a court exhibits error in preparation, or seemingly erroneous conclusions, the reviewing authority may reconvene the court for a reconsideration of its action, pointing out defects. Should the court concur in the views submitted, it will proceed by amendment to correct its errors, and may modify or completely change its findings. A reopening of the case, by calling or recalling witnesses, is illegal.

**958.** The employment of a stenographic reporter, under section 1203, Revised Statutes, is authorized for general courts only, and in cases where the convening authority considers it necessary. The convening authority may also, when necessary, authorize the detail of an enlisted man to assist the judge-advocate of a general court in preparing the record.

**959.** When a reporter is employed under section 1203, Revised Statutes, he will be paid not to exceed \$10 a day during the whole period of absence from his residence, traveling or on duty, which shall be in full for taking and transcribing all notes, making such number of copies to be made at one writing as the judge-advocate may require, and, unless otherwise specially ordered by the Secretary of War, in full for all services rendered and expenses incurred by the reporter. In special cases, when authorized by the Secretary of War, stenographic reporters may be employed at rates not exceeding 25 cents per folio (one hundred words) for taking and transcribing the notes in shorthand, or 10 cents per folio for other notes, exhibits, and appendices. Reporters will be paid by the Pay Department on the certificate of the judge-advocate.

**960.** No person in the military or civil service of the Government can lawfully receive extra compensation for clerical duties performed for a military court.

**961.** Interpreters to courts-martial are paid by the Pay Department upon the certificate of the judge-advocate that they were employed by order of the court. They will be allowed the pay and allowances of civilian witnesses.

## ARTICLE LXXVI.

## CIVILIAN WITNESSES.

**962.** Civilians in the employ of the Government when traveling upon summons as witnesses before military courts are entitled to transportation in kind from their place of residence to the place where the court is in session and return. If no transportation be furnished they are entitled to reimbursement of the cost of travel actually performed by the shortest usually traveled route, including transfers to and from railway stations, at rates not exceeding 50 cents for each transfer, and the cost of a double berth in a sleeping car or steamer when an extra charge is made therefor. They are also entitled to reimbursement of the actual cost of meals and rooms at a rate not exceeding \$3 per day for each day actually and unavoidably consumed in travel or in attendance upon the court under the order or summons. No allowance will be made to them when attendance upon court does not require them to leave their stations.

**963.** A civilian not in Government employ duly summoned to appear as a witness before a military court will receive \$1.50 for each day actually and unavoidably consumed in travel or in attendance upon the court under the summons, and 5 cents a mile for going from his place of residence to the place of trial or hearing and 5 cents a mile for returning. Civilian witnesses will be paid by the Pay Department.

**964.** The charges for return journeys of witnesses will be made upon the basis of the actual charges allowed for travel to the court, and the entire account thus completed will be paid upon discharge from attendance, without waiting for completion of return travel.

**965.** The items of expenditure authorized in paragraphs 962 and 963 will be set forth in detail and made a part of each voucher for reimbursement. No other items will be allowed. The correctness of the items will be attested by the affidavit of the witness, to be made when practicable before the judge-advocate, and the voucher will be accompanied by the original summons or a duly certified copy thereof. The certificate of the judge-advocate will be evidence of the fact and period of attendance, and will be made upon the voucher.

**966.** Compensation to civilians in or out of Government employ for attendance upon civil courts is payable by the civil authorities.

## ARTICLE LXXVII.

## EMPLOYMENT OF CIVIL COUNSEL. HABEAS CORPUS.

**967.** The employment of counsel at the expense of the United States is under the direction of the Department of Justice.

**968.** When a necessity arises for an attorney or counselor to defend or advise officers and others connected with the military service in cases connected with their public duties, request, with report of the facts, will be made to the Adjutant-General of the Army through the regular military channels, but in cases which will not admit of delay the request may be sent direct. The Adjutant-General will promptly submit all such requests to the Secretary of War for reference to the Department of Justice. Officers



and others in the military service employing an attorney or counselor without being specially authorized to do so will be required to pay the expenses attendant upon such employment.

**969.** Officers will make respectful returns in writing to all writs of habeas corpus served on them. When the writ is issued by a State authority, and the person held by the Army officer is a civilian who has been apprehended under a warrant of attachment to be taken before a court-martial to testify as a witness, the officer will not produce the body, but will, by his return, set forth fully the authority by which he holds the person, and allege that the State authority is without jurisdiction to issue the writ of habeas corpus, and ask to have the same dismissed. He will also exhibit to the court or officer issuing the writ of habeas corpus the warrant of attachment and the subpoena (and the proof of the service of the subpoena) on which the warrant of attachment was based, and also a certified copy of the order convening the court-martial before which he had been commanded to take the person.

**970.** Should a writ of habeas corpus issued by a State court or judge be served upon an Army officer commanding him to produce an enlisted man or show cause for his detention, the officer will decline to produce in court the body of the person named in the writ, but will make respectful return in writing to the effect that the man is a duly enlisted soldier of the United States, and that the Supreme Court of the United States has decided that a magistrate or court of a State has no jurisdiction in such a case.

**971.** A writ of habeas corpus issued by a United States court or judge will be promptly complied with. The person alleged to be illegally restrained of his liberty will be taken before the court from which the writ has issued, and a return made setting forth the reasons for his restraint. The officer upon whom such a writ is served will at once report the fact of such service direct to the Adjutant-General of the Army by telegraph.

## ARTICLE LXXVIII.

### QUARTERMASTER'S DEPARTMENT.

NOTE.—Regulations for the government of the Quartermaster's Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Quartermaster-General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

#### GENERAL DUTIES.

**972.** The Quartermaster's Department is charged with the duty of providing means of transportation of every character, either under contract or in kind, which may be needed in the movement of troops and material of war. It furnishes all public animals employed in the service of the Army, the forage consumed by them, wagons and all articles necessary for their use, except the equipment of cavalry and artillery. It furnishes clothing, camp and garrison equipage, barracks, storehouses and other buildings; constructs and repairs roads, railways, bridges; builds and chartered ships, boats, docks and wharves needed for military purposes, and attends to all matters connected with military operations which are not expressly assigned to some other bureau of the War Department.

**973.** Subsistence, ordnance, signal, medical and hospital stores are procured and issued by other bureaus of the War Department, but the Quartermaster's Department transports them to the place of issue and provides storehouses for their preservation until consumed.

**974.** General depots for the collection, manufacture and preservation of quartermaster's stores until required for distribution are under the immediate control of the Quartermaster-General.

**975.** Officers serving in the Quartermaster's Department will make monthly estimates for funds, unless otherwise authorized, and only for such amounts as are required for payment of accounts within the periods estimated for. Estimates will show in detail the amounts required to cover all authorized expenditures, and the purposes for which needed. Quartermasters will submit their estimates to their immediate commanding officers, who, after action thereon, will forward them to the adjutant-general of the department; he will refer them to the chief quartermaster who, after consideration and revision, will consolidate and submit them to the department commander for approval; thereafter the chief quartermaster will forward them to the Quartermaster-General. Quartermasters at general depots and independent posts will forward estimates of funds to the Quartermaster-General direct.

#### BARRACKS AND QUARTERS.

**976.** When buildings are about to be occupied, allotted, or vacated, an inspection of them will be made by the quartermaster, who will make and file a statement of their condition, reporting to the commanding officer any damage apparently due to carelessness or neglect. Damages will be promptly repaired if possible.

**977.** Neglect by any officer or soldier to take proper care of rooms or furniture used by him is a military offense. In case of damage, such officer or soldier may be allowed to pay cost of necessary repairs if the commanding officer deem such payment sufficient. Commanding officers will report, through prescribed channels, to the Adjutant-General of the Army their proceedings in all cases under this regulation.

**978.** An annual inspection of the public buildings at every post will be made on the 1st day of March by the commanding officer and quartermaster. Whenever March 1 falls on Sunday, the inspection will be made on the following day. Immediately after the inspection the quartermaster will submit a report, upon the form prescribed for that purpose, giving a description and showing the condition and capacity of each building, the character and extent of any additions, alterations and repairs made upon it during the preceding year and cost of same, also repairs needed, with estimates therefor. Estimates for heating or plumbing will be made separately. Separate plans, specifications and estimates in detail for additions and alterations will be submitted with the report. If new buildings are required, the necessity will be fully stated, and, if authorized by the War Department, plans and specifications will be prepared in the Quartermaster-General's Office. The commanding officer will carefully examine the report and estimates, and forward them, with an expression of his views, for the Quartermaster-General.

**979.** When private buildings occupied as barracks or quarters, or lands occupied as encampments, are vacated, the commanding officer and quarter-

master will make an inspection of them, and the latter will report, through the prescribed channel to the Quartermaster-General, their condition and any injury which has resulted to them by reason of such occupancy

**980.** All public buildings at a post will be numbered by the quartermaster, and thereafter each new building will be given its proper numerical designation. The number originally given a building will be retained, and entered by the quartermaster as a permanent record. Against each building he will charge all expenditures made thereon, noting sums authorized, authority therefor and amounts actually expended, carefully itemized, showing separately the sums paid for material and labor. All expenditures made for the erection of new buildings, and for additions, alterations, or repairs will be so entered as to accurately exhibit the cost of each building to date.

**981.** The Quartermaster's Department will provide in all permanent barracks a box locker for each enlisted man for his uniform and extra clothing. Each man will provide his own lock.

**982.** Barracks will be supplied with chairs, at a rate not exceeding one for each noncommissioned officer and one for every two of the other enlisted men quartered therein.

**983.** China and glassware belonging to mess outfits, bunks, mattresses, pillows, benches, chairs, tables and other articles of furniture provided for soldiers' barracks will not be removed therefrom without the order of the post commander, nor will they be removed from a post or station except by order of the War Department. Box lockers, mattress covers, pillowcases, bed sheets and barrack bags should be transported in all changes of station, but will not be taken into the field.

#### *Allowance and Assignment of Quarters.*

**984.** At each post and station where there are public quarters in buildings belonging to the United States, the quartermaster, under direction of the commanding officer, will allot to each officer the quarters to which his rank entitles him.

**985.** At all posts where, in the opinion of the department commander, the barracks and quarters are sufficient for the purpose, the following regulations will govern their assignment and occupation:

1. Permanent quarters will be assigned to the field and staff officers of the garrison.

2. Quarters for the captain and lieutenants of each company will be designated as appertaining to each set of barracks, having reference to convenience of location.

3. On arrival of troops, each company will be assigned by the commanding officer to appropriate vacant barracks and quarters, having due regard to relative rank of captains and their choice of quarters whenever two or more arrive at the same time. Quarters so regularly assigned will not be subject to choice, but any not occupied may be chosen for temporary occupancy by an officer, in accordance with existing regulations, subject however to removal whenever an officer entitled to them arrives. The original assignment of quarters at any post or station will be made by a board of officers consisting of the commanding officer, the two senior line officers present, the senior surgeon and the quartermaster. Upon the department

commander's approval of the board's action, its recommendations will be carried into effect as soon as practicable, the department commander causing the assignments to take effect as changes occur in the stations of officers and troops, without removing any officer from quarters occupied by him under other existing regulations.

**986.** At posts or stations where the provisions of paragraph 985 can not be applied, officers may make selection of quarters in accordance with their rank, but the commanding officer may direct that they confine their selection to buildings located near their troops. An officer may select quarters occupied by a junior, but should not displace a junior if there be quarters suitable to the rank of the senior available, with equal conveniences and accommodations. When an officer has made his choice he must abide by it, and shall not again displace a junior unless he himself is displaced by a senior. The particular rooms which constitute a set of quarters will be designated by the quartermaster, under the direction of the commanding officer; attics are not counted as rooms. Officers will not choose rooms belonging to different sets.

**987.** An officer reporting for duty at a post will, immediately upon his arrival, make written application to the commanding officer for quarters. If in command of troops he will apply for quarters for himself, for his subordinate officers, and the enlisted men of his command. The application will be accompanied by a copy of the order directing him to report at the station, and will be referred to the quartermaster for proper action under such instructions as the commanding officer may indorse thereon.

**988.** An officer will not occupy more than his proper allowance of quarters, except by permission of the commanding officer when there is an excess of quarters at the station. The allowance will be reduced pro rata by the commanding officer when the number of officers and troops present makes it necessary. If the public buildings are inadequate, the commanding officer will apply, through the department commander, to the Secretary of War for authority to hire necessary quarters.

**989.** Officers on duty without troops at stations where there are public quarters will be furnished them in kind. If insufficient, application for authority to hire quarters will be made as directed in paragraph 988.

**990.** At a military post where the headquarters of a department are or may be established, the department commander may set aside quarters for the staff, but will not disturb assignments made under paragraph 985 if it can be avoided. Quarters thus reserved will not be open to selection, but will be subject to assignment independent of choice.

**991.** An appropriate set of quarters, equal to those of a captain, will be set apart permanently for the chaplain. He will not be displaced, except by a reduction when the quarters are insufficient for the garrison, and he will not then be entirely displaced, nor allowed to choose others.

**992.** An officer's right to quarters is solely one of occupancy; when he and his family cease to occupy them, except in case of temporary absence, they are open to selection by, and reassignment to, some other officer on duty at the post.

**993.** When assigned to duty without troops or awaiting orders for the convenience of the Government, officers will be entitled to quarters, but in no case will they be furnished quarters at two stations at the same time.

**994.** A contract surgeon is entitled to the quarters stipulated in his contract, or commutation therefor.

**995.** The allowance of quarters to which an officer is entitled when on duty may be continued in kind, at his proper station, during the period for which the law permits him to be absent without reduction of pay and allowances. An officer under suspension has the same right to quarters as when on duty status, if present at the post.

**996.** At a post a room may be set aside as a mess room when a majority of its officers unite in a mess, but never when the officers to be accommodated are less than three in number.

**997.** An officer on sick leave is entitled to public quarters at his station during the period of sick leave, not exceeding six months, provided he or his family occupy them. He may hold hired quarters only while he is personally an occupant.

*Fuel and Stoves.*

**998.** Officers may purchase from the Quartermaster's Department the fuel actually needed for their own use. For the quantity allowed them in the table contained in paragraph 1006, they will pay at the rate of \$3 per cord for standard oak wood, or the equivalent thereof in other kinds of fuel as determined by the Quartermaster-General. For any additional quantity they shall pay the contract price, or \$3 per cord if the contract price is less than \$3. Officers on the retired list, officers on sick leave or under sentence of suspension from duty on reduced pay when absent from their proper stations, are not entitled to this privilege.

**999.** The Quartermaster's Department may sell fuel in accordance with the preceding paragraph to contract surgeons and to the families of officers who are temporarily absent.

**1000.** Officers who desire to purchase fuel of the Quartermaster's Department will make requisition therefor. Payment will be made at the time of sale, and receipt given.

**1001.** Fuel will be sold only on the officer's certificate that it is for his personal or family use, and he will not sell or exchange it. The commanding officer will compare the requisitions and certificates with the quartermaster's abstract of sales of fuel, and if correct, so certify on the abstract.

**1002.** Merchantable oak wood is the standard; the cord is 128 cubic feet. The scale of equivalents to govern in the issue and sale of fuel is published from time to time in general orders.

**1003.** An officer may purchase from the Quartermaster's Department one-sixth of his allowance of fuel in kindling wood, which will be sold on the basis of its equivalent in oak wood.

**1004.** Fuel issued to troops is public property. Any portion not consumed by them will be returned to the quartermaster and taken up on his return. Fuel so issued, however, and not consumed in quarters, may be used in baking the soldiers' bread; and at any post where coal is used exclusively, the quartermaster may, upon the request of the post commander, provide, as part of the fuel allowance, an equivalent of wood in lieu of coal sufficient for the post bakery.

**1005.** Fuel will be issued only in the month when due. The cheapest fuel at the place of issue will, all things considered, be furnished.

**1006.** The following table shows the number of rooms, the quantity of fuel, and the allowance of cooking and heating stoves to be supplied for the use of officers and men in quarters and barracks:

	Rooms.			Cords of wood per month.	Increased allowance from Sep- tember to April, both inclusive.	For quarters.		For office.
	As quarters.	As kitchen.	As office.			Heating stoves.	Cooking stoves or ranges.	
				From May 1 to Aug. 31.	From Sept. 1 to Apr. 30.	Between 36th and 43d deg. N. latitude, one-fourth.	North of 43d deg., one- third.	
A lieutenant-general or major-general	5	1	1	1	5	1 $\frac{1}{4}$	1 $\frac{1}{3}$	5
A brigadier-general or colonel	4	1	1	1	4	1	1 $\frac{1}{3}$	4
A lieutenant-colonel or major	3	1	1	1	3 $\frac{3}{4}$	$\frac{3}{4}$	1 $\frac{1}{3}$	3
A captain or chaplain	2	1	1	1	2	$\frac{1}{2}$	1	2
A lieutenant	1	1	1	$\frac{1}{2}$	1	$\frac{1}{4}$	$\frac{1}{3}$	1
The Commanding General of the Army			3		3		1	
The commanding officer of a territorial department			2		2		$\frac{1}{2}$	
The aids to the commanding officer of a territorial department			1		1	$\frac{1}{4}$	$\frac{1}{3}$	
An assistant or deputy quartermaster- general, an assistant commissary-gen- eral of subsistence, an assistant surgeon- general, the assistant and deputy pay- master-general, and the chief quarter- master and chief commissary at the headquarters of a territorial depart- ment, each			2		2	$\frac{1}{2}$	$\frac{1}{3}$	
The commanding officer of a regiment or post, a paymaster, quartermaster, assistant quartermaster, commissary, and military storekeeper, each			1		1	$\frac{1}{4}$	$\frac{1}{3}$	
An assistant adjutant-general, an in- spector-general, an acting inspector- general, an engineer officer*, an or- dnance officer*, a signal officer, a judge- advocate or an acting judge-advocate, and the senior medical officer, when stationed on duty at any place not in the field*, each			1		1	$\frac{1}{4}$	$\frac{1}{3}$	
An acting assistant quartermaster, an acting commissary of subsistence, an adjutant, when approved by the Quar- termaster-General, each			1		1	$\frac{1}{4}$	$\frac{1}{3}$	
A sergeant-major, quartermaster-ser- geant, sergeant of the post noncom- missioned staff, hospital steward, vet- erinary surgeon, signal sergeant†, and chief musician, each	1			$\frac{1}{2}$	1	$\frac{1}{4}$	$\frac{1}{3}$	1
Superintendent national cemetery				$\frac{1}{2}$	1	$\frac{1}{4}$	$\frac{1}{3}$	
Each noncommissioned officer, musician, private, and hospital matron				$\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{4}$	$\frac{1}{3}$	1
Each necessary fire for the sick in hospital, each dispensary and hospital mess room, at a military post or station, to be regu- lated by the surgeon and commanding officer, not exceeding				$\frac{1}{2}$	2	$\frac{1}{2}$	$\frac{1}{3}$	1
For general hospitals, when necessary, not exceeding, for each bed				$\frac{1}{2}$	$\frac{1}{2}$	$\frac{1}{4}$	$\frac{1}{3}$	
Each guard fire, to be regulated by the commanding officer, not exceeding					3	$\frac{3}{4}$	1	1
Each necessary fire for military courts or boards, at a rate not exceeding					2	$\frac{1}{2}$	$\frac{1}{3}$	1
Storehouse of a commissary and quarter- master, when necessary, not exceeding for each					1	$\frac{1}{4}$	$\frac{1}{3}$	1

\* Except at Military Academy.

† Except when serving in a detachment.

	Rooms.			Cords of wood per month.	Increased allowance from September to April, both inclusive.	For quarters.	For office.
	As quarters.	As kitchen.	As office.				
Each employee of the Quartermaster's, Subsistence, or Medical Department to whom subsistence in kind is issued by the Government				From May 1 to Aug. 31.	Between 36th and 43d deg. N. latitude, one-fourth.		
For library, reading room, schoolroom, chapel, and gymnasium, 1 heating stove for each, and when the garrison exceeds 150 enlisted men, 2 heating stoves, and such quantity of fuel for the same as may be certified to as necessary by the officers in charge and approved by the commanding officer				From Sept. 1 to Apr. 30.	North of 43d deg., one-third.		
For a company: 2 large stoves in dormitory, 1 large stove in each mess room and day room, 1 small stove for each of the two rooms for noncommissioned officers, 1 small stove for the library, and 1 cooking stove or range sufficient to cook its food.							
Each hospital kitchen.							
For each authorized room as quarters for civilian employees							1
For each six civilian employees to whom fuel is allowed.						1	
For mess of civilian employees.						1	1
For telegraph office.						1	
For each blacksmith, carpenter, and saddler shop						1	

**1007.** In addition to the number prescribed in the table, the headquarters of a department will be allowed such number of office rooms (not more than eight) as may be necessary for clerks on duty thereat (the Quartermaster's and Subsistence Departments excepted), which will be assigned by the chief quartermaster under the direction of the department commander. A heating stove for each room not otherwise heated will also be allowed. Office rooms will not be hired without the written authority of the Secretary of War, and no lease of such rooms will take effect until approved by him.

**1008.** The officers of the Quartermaster's and Subsistence Departments may, when necessary, be allowed additional office rooms, with a heating stove for each, not to exceed three in the former and two in the latter named department. The number of additional rooms so allowed will be regulated by the Quartermaster-General.

**1009.** Stoves will not be issued to officers who receive commutation of quarters.

**1010.** A sergeant-major, quartermaster-sergeant, sergeant of the post noncommissioned staff, hospital steward, veterinary surgeon, signal sergeant, and chief musician may each be allowed one cooking stove in lieu of one heating stove.

**1011.** If at a military post, situated between the thirty-sixth and forty-third degrees of latitude, the mean temperature for twenty days of any calendar month is not above 20° F., an increase of fuel of one-third instead of one-fourth, as shown in the table, will be allowed. If the temperature is not above 10° F., an increase of one-half will be allowed, whatever the latitude of the place. The certificate of the post surgeon as to the mean temperature, and the order of the post commander for the issue, will be filed with the abstract of issues.

#### ILLUMINATING SUPPLIES.

**1012.** The Quartermaster's Department will provide lamps, lanterns, mineral oil, wicks, and lamp chimneys for the various military posts and stations.

**1013.** Lamps having one or two burners, with circular wicks of about 1½ inches inside diameter, will be issued as follows: To troops in barracks, at the rate of one burner for every ten men and every fraction thereof, when the fraction is five or more, of the maximum strength allowed the organization, and such number of lamps or lanterns for lighting interior passageways as may be necessary, not to exceed three in each barrack. Companies messing separately will be allowed three additional burners. To each non-commissioned staff officer and to each first sergeant, a lamp with a single burner. For hospitals, such number of burners, not to exceed one for each ward or room, as may be deemed necessary by the post surgeon and post commander. The lamps with wicks of less than one inch diameter, if on hand, will not be superseded except as they become unserviceable and are beyond repair. Two of these burners will be allowed in lieu of one of larger size, and parts for their repair will be furnished when called for.

**1014.** For the guardhouse and the authorized offices, a lamp with a single burner for each room; for post reading and evening school rooms, post libraries, and chapels, such number of burners, not exceeding four for each room, as may be certified by the post commander to be necessary.

**1015.** For outside illumination, including passageways exterior to barracks which for the proper performance of garrison duties should be lighted, such number of oil lanterns or street lamps as the department commander shall, in writing, authorize for the purpose, will be supplied on properly approved requisitions. A copy of the authority from the department commander will be filed by the issuing officer with the voucher for the issue. Oil, wicks and chimneys will be issued on requisitions in duplicate designating the number and location of lamps for which required.

**1016.** Either oil or candle lanterns may be used in stables, at the discretion of the commanding officer. The number of lanterns in each stable will be such as the commanding officer, with the approval of the department commander, shall require. If candle lanterns are used, the candles will be issued by the Subsistence Department in such quantity as the commanding officer shall order as necessary. If oil lanterns are used, the issue of oil, wicks, and chimneys therefor will be made in the manner prescribed in the preceding paragraphs.

**1017.** Mineral oil having a flash point not lower than 135° F. will be supplied for lamps and oil lanterns, and be issued in quantities as follows: For all lamps used for interior illumination at the rate, per burner, of four ounces avoirdupois for each hour of authorized illumination for lamps using wicks of about 1½ inches diameter, and two ounces per hour for lamps



with smaller wicks. For all oil lanterns, such quantities as the commanding officer shall order and certify as necessary.

**1018.** The hours during which lamps and oil lanterns may be kept lighted at each post will be such as the commanding officer, with the approval of the department commander, may announce.

**1019.** A gallon of mineral oil of Army standard weighs one hundred and four ounces. In making estimates and requisitions, calculation will be made at the rate of one gallon of oil for twenty-six hours' use of each large burner, and fifty-two hours' use of each small burner, described in paragraph 1013.

**1020.** Officers of the Army may buy from the Quartermaster's Department, at contract prices, such moderate quantity of mineral oil, lamps, wicks and chimneys as they may need in the rooms occupied by themselves and families. This privilege is limited to the lamps, oils, wicks and chimneys of like patterns, kinds and qualities as those provided for troops.

**1021.** Only one requisition for each month will be made by company or detachment commanders for fuel, forage, straw, mineral oil, wicking, chimneys, and other illuminating supplies that may be similarly expended. These requisitions, as approved by the post commander, will be consolidated, and the consolidated requisition, in duplicate, furnished the quartermaster, who will make issues thereon.

**1022.** Mineral oil issued to troops is public property for their use, and will be treated as provided in paragraph 1004 for fuel.

## STATIONERY.

**1023.** Issues of stationery are made quarterly, in quantities as follows:

	Quires of writing paper.	Quires of envelope paper.	Sheets of blotting paper.	Number of pens.	Number of penholders.	Pints of black ink.	Ounces of red ink.	Pints of mucilage.	Ounces of sealing wax.	Pieces of office tape.	Envelopes.
Commander of an army, division, or department (what may be necessary for himself and staff for their public duty).											
Commander of a brigade or district, for himself and staff.	12	$\frac{1}{2}$	24	50	4	2	2	$1\frac{1}{2}$	8	2	200
Officer commanding a regiment or post of not less than five companies, for himself and staff.	10	$\frac{1}{2}$	24	40	3	2	1	$1\frac{1}{2}$	6	2	150
Officer commanding a post of more than two and less than five companies.	8	$\frac{1}{2}$	20	30	3	1	1	1	5	1	120
Commanding officer of a post of two companies.	7	$\frac{1}{2}$	15	25	2	1	1	$\frac{1}{2}$	4	1	100
Commanding officer of a post of one company or less, and commanding officer of a company.	6	$\frac{1}{2}$	10	20	2	1	1	$\frac{1}{2}$	3	1	80
A lieutenant colonel or major, not in command of a regiment or post.	3	----	5	12	1	1	----	$\frac{1}{2}$	2	1	40
Officers of the Inspector-General's, Pay, and Quartermaster's Departments (the prescribed blank books and printed forms, and the stationery required for their public duty).											
All officers, including chaplains, not enumerated above, when on duty and not supplied by their respective departments.	2	$\frac{1}{2}$	5	6	1	$\frac{1}{2}$	----	$\frac{1}{2}$	1	$\frac{1}{2}$	30

**1024.** To each office desk or table is allowed one inkstand, one paper folder, one ruler, one steel eraser, one piece of India rubber and four lead pencils. A company commander is entitled to this allowance. Officers when relieved will transfer office stationery to their successors.

**1025.** The Quartermaster's Department is authorized to issue yearly to retired officers, upon proper requisition, six quires of writing paper, one hundred official envelopes, fifty letter envelopes, one piece of office tape and one-half quire of envelope paper.

**1026.** The yearly allowance of stationery to a sergeant of the post non-commissioned staff on duty at a post not garrisoned by troops is two quires of writing paper, letter size, four sheets of blotting paper, one hundred envelopes, official size, one dozen steel pens, two penholders, one pint bottle of black ink, one small bottle of mucilage with brush, one inkstand, and one piece of office tape.

**1027.** Necessary stationery for courts and boards will be furnished on requisition of the judge-advocate or recorder, approved by the presiding officer.

#### PURCHASE OF PUBLIC ANIMALS.

**1028.** Purchase of horses for the cavalry and artillery, for Indian scouts, and for such infantry as may be mounted, will be made by contract, after competition duly invited by the Quartermaster's Department and an inspection by such department—all under the direction and authority of the Secretary of War.

**1029.** The cavalry horse must be sound and well bred; gentle under the saddle; free from vicious habits; with free and prompt action at the walk, trot, and gallop; without blemish or defect; of a kind disposition; with easy mouth and gait, and otherwise to conform to the following description:

A gelding of uniform and hardy color; in good condition; from fifteen and one-fourth to sixteen hands high; weight not less than 950 nor more than 1,150 pounds; from four to eight years old; head and ears small; forehead broad; eyes large and prominent; vision perfect in every respect; shoulders long and sloping well back; chest full, broad and deep; fore legs straight and standing well under; barrel large and increasing from girth toward flank; withers elevated; back short and straight; loins and haunches broad and muscular; hocks well bent and under the horse; pasterns slanting and feet small and sound.

Each horse will be subjected to a rigid inspection, and any animal that does not meet the above requirements in every respect must be rejected.

A horse under five years old should not be accepted unless a specially fine, well developed animal.

**1030.** The artillery horse is required for quick draft purposes, and should move the carriage, ordinarily, by weight thrown into the collar rather than by muscular exertion.

The animal must be sound, without blemish or defect, well bred, of a kind disposition, and free from vicious habits; a square trotter; well broken to harness, and gentle under the saddle; with easy mouth and gait, and with free, prompt action at the walk, trot, and gallop; and otherwise to conform to the following description:

A gelding of uniform and hardy color; in good condition; from fifteen and one-fourth to sixteen hands high; weight of the lead horse not less than 1,050 pounds, and that of the wheel horse not more than 1,200 pounds; from

five to eight years old; head and ears small; forehead broad; eyes large and prominent; vision perfect in every respect; chest full, broad, and deep; fore legs straight and standing well under; shoulders sufficiently broad to support the collar, but not too heavy; barrel large and increasing from girth toward flank; withers elevated; back short and straight; with broad, deep loins, short coupled with solid hind quarters; hocks well bent and under the horse; pasterns slanting and feet sound and in good order. Long-legged, loose-jointed, long-bodied, and narrow-chested horses, as well as those which are restive, vicious, or too free in harness, or which do not, upon rigid inspection, meet the above requirements in every respect, will be rejected.

**1031.** Mules purchased for the Army by the Quartermaster's Department should conform to the following conditions: They should be strong, stout, compact, sound, and kind; they should be free from defects in every particular, four to nine years old, 850 to 1,200 pounds in weight, fourteen to sixteen hands high and suitable in all respects for the transportation service of the Army. If for draft purposes, they will be well broken to harness; pack mules need not be broken, and may be not less than thirteen and a half hands high, if otherwise suitable.

**1032.** On the day when received, horses for the cavalry and light artillery will be branded "U. S." on the hoof of the left fore foot, other animals on the left shoulder. Cavalry and light artillery horses will also be branded under the mane with the number of regiment and letter of troop or battery.

**1033.** A complete descriptive list of each animal will be made at the time of purchase, and will accompany him wherever he may be transferred.

**1034.** A descriptive book of public animals will be kept with every troop of cavalry and battery of light artillery, and with the records of every officer responsible for public animals. It will contain a description of every animal received and transferred, showing the kind, name, age, size, color, marks, brands, or other peculiarities of each; how and when acquired and if disposed of in what manner; the name of its rider or driver, and the particular use to which applied.

**1035.** When public animals are issued or transferred, the person in charge will be provided with full and accurate descriptive lists, which he will deliver to the receiving officer, by whom they will be entered in his descriptive book of public animals.

**1036.** Public animals will be assigned to their riders or drivers, who will not exchange or surrender them to the use of any other person without the permission of the company commander, quartermaster, or other officer responsible.

**1037.** Horses and mules inspected and condemned as unfit for service will be advertised for sale and disposed of within ten days from date of advertisement.

#### VETERINARY MEDICINES.

**1038.** Veterinary medicines, instruments and supplies for the treatment of public animals and authorized private horses of mounted officers are furnished by the Quartermaster's Department. Estimates will be prepared on the regular form for estimates for quartermaster's stores and in conformity with the standard supply table furnished by the Quartermaster-General.

**1039.** The quartermaster will have charge of veterinary medicines and dressings, and, under the direction of the commanding officer, will issue and expend such articles and in such quantities as may be necessary. A special requisition for articles not in the table, with an explanation of the nature of the emergency or case rendering it necessary, will be forwarded, through the regular channel, for the action of the Quartermaster-General.

**1040.** Veterinary instruments and books will remain in the custody of the quartermaster, and will be loaned as needed in the public service.

#### FORAGE AND STRAW.

**1041.** The forage ration for a horse is fourteen pounds of hay and twelve pounds of oats, corn, or barley; for a mule, fourteen pounds of hay and nine pounds of oats, corn, or barley. Department commanders will reduce the forage ration when necessary.

**1042.** Where grazing is practicable, or when little labor is required, commanding officers will order a judicious reduction of the forage ration.

**1043.** Forage will be issued only during the month when due.

**1044.** Forage is furnished only to officers for the horses owned and actually kept by them in the performance of their official duties when serving with troops in the field or at military posts and stations, and for the following number: To a lieutenant-general, four; to a major-general or a brigadier-general, three; to a colonel, lieutenant-colonel, major, captain, or lieutenant, mounted, and regimental adjutant and quartermaster, each two.

**1045.** Mounted officers will not use public horses and at the same time draw forage for those they own; nor will they use public animals except as authorized by regulations. Should circumstances render it necessary, an officer may be temporarily furnished public horses, but during such period he will not be permitted to draw forage for a private horse.

**1046.** An officer not mounted may purchase forage for two horses kept for his own use, for which he will be charged cost, including transportation. The sale of forage to mounted officers is forbidden.

**1047.** An officer shall not sell, nor allow to be sold, the forage issued for his own horses or the public animals under his charge; nor shall he use or dispose of, or permit to be used or disposed of, such forage, or any portion thereof except for the purpose for which it was issued. Forage issued for a particular period and unconsumed during the period will be taken up and properly accounted for. The commanding officer will compare the requisitions with the quartermaster's abstracts of issues and sales of forage, and if correct, so certify on the abstract.

**1048.** When mattresses are not supplied, each enlisted man in barracks and each prisoner in the guardhouse will be allowed a bed sack and thirty pounds of straw per month for bedding, and men in field hospitals, such quantity as the chief medical officer shall certify as necessary. So far as practicable, iron bunks will be furnished to all prisoners in post guardhouses and prison rooms.

**1049.** One hundred pounds of straw per month is allowed for bedding to each horse or mule in public service. At posts where straw is not furnished hay will be issued and used for bedding.

## CARE OF AND ACCOUNTABILITY FOR PROPERTY.

**1050.** Unless otherwise specially directed by the Secretary of War, there will be at each military post or station but one accountable officer in the Quartermaster's Department, and he will account for all quartermaster's supplies there in use or in store.

**1051.** When troops are assembled for field service there will be but one accountable officer in the Quartermaster's Department for each regiment, separate battalion or squadron, and he will account for all quartermaster's supplies in the possession of the command of which he is quartermaster.

**1052.** At places requiring the services of more than one quartermaster, each one charged with the care and disposition of quartermaster's supplies will account for the same.

**1053.** Officers commanding companies or detachments will be furnished by the quartermaster, on approved requisition, with the necessary authorized quartermaster's supplies; and for all such, except those that may be properly dropped as expended, said commanding officers will give memorandum receipts to the accountable officer, who will continue to bear said supplies on his return until they have been transferred or expended and duly accounted for as required by regulations.

**1054.** Officers commanding companies or detachments temporarily absent from posts will continue responsible to quartermasters from whom supplies have been procured on memorandum receipts. Should the services of a quartermaster become necessary, one will be appointed for the command.

**1055.** When troops change station, only such quartermaster's supplies as are authorized, or as may be directed to be transferred will be removed from the station. Company and detachment commanders, prior to departure from a station, will have a settlement with the quartermaster for supplies held on memorandum receipt. For such supplies as must accompany troops, company and detachment commanders will give certificates to the quartermaster. Memorandum receipts that have been thus satisfied will be returned to the respective company and detachment commanders. The quartermaster will forward the certificates, accompanied by the requisite papers for transferring the accountability, to the quartermaster at the destination of the troops. The commanders of incoming organizations upon arrival will report the supplies in their custody and give memorandum receipts therefor to the quartermaster, who will then return to the respective commanders their certificates.

**1056.** Certificates given for supplies accompanying troops and memorandum receipts given by officers for supplies issued or loaned for their individual use, or for use of the organizations under their command, will be made in the prescribed form, and should any officer, when called upon by proper authority to produce any of the supplies enumerated therein, fail to do so, or to furnish proper evidence that deficient or damaged supplies have been accounted for as required by regulations, the name of the officer delinquent will be reported to the Secretary of War by the Quartermaster-General, and said officer's pay to the extent of the deficiency or damage will be stopped, in conformity with paragraphs 701 and 702. The accountable officer may drop from his return the articles deficient, forwarding the memorandum receipt or certificate as a voucher therefor.

**1057.** A forage master or wagon master shall not be concerned, directly or indirectly, in any means of transport employed by the United States, or in the purchase or sale of any property procured for or belonging to the United States, except as agent for the Government.

**1058.** Deliveries under contract will be made monthly when practicable. Officers responsible for stores will take the necessary precautions to prevent loss or damage.

**1059.** Grain, hay, straw and coal when received will be carefully weighed. Wood will be carefully piled and measured.

**1060.** Short forage should be contracted for by the hundred pounds, but when a contract for grain is made by the bushel the number of pounds per bushel will be specified in the contract.

**1061.** Every officer accountable for fuel, forage and straw, at the end of each quarter and also when transferring to a successor, will verify by actual weight or measurement the quantities on hand. In case of transfer, the verification will be made in the presence of the receiving officer.

**1062.** The quantities of fuel, forage and straw on hand will be certified to by the officer accountable, and his certificate to that effect will be attached to his property return.

**1063.** The commanding officer of the post will see that the verification required by paragraph 1061 is made, and at the end of each quarter he will send to department headquarters, or if serving at an arsenal or an independent post or depot, to the Quartermaster-General, a certificate stating that the verification has been made, and that, in his opinion, the quantities actually on hand, as determined by such verification and certified to by the accountable officer, are correctly reported. This certificate will be made in duplicate and one will be filed with the post records. In case excess be found, it will be taken up on the return for the quarter. In case of deficiency, a board of survey will be called to make a full investigation and will report the facts, with its conclusions as to the cause of deficiency and responsibility therefor.

**1064.** Every officer accountable for quartermaster's supplies will keep himself accurately informed by personal examination of the quantities and condition of the property on hand, and will be held strictly responsible that they are correctly reported on his returns. The commanding officer will see that a complete, detailed, and accurate inventory of such property, except that held on memorandum receipts, is taken by the accountable officer in person at least once each year, and as much oftener as he may deem necessary for the interests of the Government. At each transfer of such property both the invoicing and receipting officer will attend in person, and each will satisfy himself, by personal count and examination, that all property invoiced is on hand and in condition as stated in the invoices. When loss, damage, or deficiency is discovered upon taking any of these inventories, a board of survey will be called at once to investigate and ascertain the cause thereof, which it will report with its conclusions as to the responsibility for the same.

#### HORSES OF MOUNTED OFFICERS.

**1065.** In the field, at posts, or in active service, sales of horses held in the Quartermaster's Department for issue, sale or keeping may be made to mounted officers, with the approval of the Commanding General of the

Army, or on the authority of the Secretary of War. Horses belonging to troops of cavalry and to batteries of artillery will not be sold nor turned in to the Quartermaster's Department, unless previously inspected and condemned as unserviceable. The price to be paid for a horse purchased by an officer will be its cost to the Government. Purchase and payment will be completed within thirty days from the date of receipt of authority for the sale and the purchase money at once deposited to the credit of the current appropriation. Horses thus sold will not be exchanged or returned.

**1066.** The use of public horses by officers receiving mounted pay will be regulated by department commanders in conformity with the necessities of the public service. Unless specially excepted by the Commanding General of the Army, all mounted officers will be required to keep the private horses necessary for the efficient performance of their duties.

**1067** While serving with a light or mounted battery a captain or lieutenant of artillery will be allowed to use a battery horse.

**1068.** The Quartermaster's Department will provide and issue horse and mule shoes, nails, smith's tools and materials required for the service except the smith's tools of the battery wagons and forges of light batteries. The horses of a troop of cavalry or light battery will be shod by its artificer.

**1069.** The Quartermaster's Department will transport for officers changing station the number of horses for which they are legally entitled to forage, and an attendant to accompany the horses when necessary, subject to the following restrictions:

1. That the expense paid by the United States shall not exceed \$50 for each horse transported. The cost of such shipment will be ascertained in advance, and if found to exceed \$50 for each horse, including transportation of attendant, if any, the excess must be prepaid by the owner, who must also pay all the expenses of the attendant other than his transportation.

2. That the horses are owned by the officer and were used by him in the public service at the station from which he is ordered to move.

3. The horses of retired officers or officers ordered to their homes to await retirement, or officers ordered on recruiting service or college detail, or to attend schools of instruction as student officers, or to effect a voluntary transfer, will not be transported at public expense.

#### TRANSPORTATION.

##### *General Provisions.*

**1070.** For wagon and pack transportation mules will generally be employed, and horses may be used for saddle purposes by wagon masters, messengers, expressmen, and employees or enlisted men pursuing kindred occupations which require them to be mounted. For draft purposes, except at depots or posts in or near large cities where little transportation is needed, horses will not be used unless specially authorized by the War Department.

**1071.** The allotment of draft and pack animals to each military department will be made by the Quartermaster-General under the direction of the Secretary of War.

**1072.** The transportation of supplies from place of purchase or from supply depots to military posts, or from one post to another, will be provided under contract made by the Quartermaster's Department, except when the means of transportation authorized in paragraph 1071 is available.

**1073.** In providing transportation for persons and property, the shortest practicable route will, as a rule, be adopted, although a longer one may be used to secure lower rates when time will permit. When competing routes furnish equal facilities, advantages and rates, each will be given a share of employment.

**1074.** The allowance of spring wagons, exclusive of the prescribed ambulance for the sick, is fixed at one to each post, except when otherwise authorized by the War Department. All four-wheeled passenger wagons (except ambulances) having springs under the body shall be considered spring wagons.

**1075.** Spring wagons will be used only by direction of commanding officers and for the purpose for which they are supplied, viz, for the transportation of officers and enlisted men traveling on duty when other means are not available.

**1076.** The Quartermaster's Department will provide the necessary ambulances for transporting the sick and wounded upon the requisition of the proper medical officer.

**1077.** All means of public transportation at a post will be accounted for by the quartermaster, and will be under his charge except as provided in paragraph 1415. Post commanders will cause cavalry troops and light batteries to be provided daily with the proper facilities for policing stables and hauling forage.

**1078.** Commanding officers will give timely notice to the proper officers of the Quartermaster's Department of all contemplated movements of troops and supplies, that proper and sufficient transportation may be in readiness.

**1079.** The duty of furnishing transportation at any post, station, or depot will be intrusted to one officer of the Quartermaster's Department, on whom requisitions will be made therefor.

#### *Transportation of Persons.*

**1080.** When troops are moved, suitable transportation will be provided; proper orders and exact return of the command will be furnished to the quartermaster who is to provide the same.

**1081.** On transports, cabin passage will be furnished officers and reasonable and proper accommodations for troops. When practicable a separate apartment will be provided for the sick.

**1082.** A person requiring transportation will exhibit an order from competent authority, and the quartermaster who furnishes it will make and file a certified copy of the same. The quartermaster will indorse on the original order, over his signature, the fact that transportation has been provided, its kind, the places from and to which it has been furnished, and the number of pounds of extra baggage transported, if any. The original order will be retained by the person who receives the transportation, and in case of a soldier entitled to commutation of rations while traveling, will be disposed of as directed in paragraph 1275. When a quartermaster furnishes transportation, under the provisions of paragraph 110, to a soldier on furlough, he will report the actual or probable cost thereof to the company commander and will enter on the furlough a statement that the transportation has been furnished. The officer paying the account will notify the company commander of the actual amount paid and the date of payment.



**1083.** When transportation is furnished for the entire journey, the route, if not designated in the order, will be determined by the Quartermaster's Department in accordance with existing rules.

**1084.** A quartermaster who provides the transportation for troops will notify, by mail or telegraph, the quartermasters at places where changes of route are to be made or means of transportation are to be changed of the day on which the troops will start, their route, destination, the number of officers, enlisted men and animals, and the quantity of public property and baggage for which transportation will be required.

*Transportation Requests.*

**1085.** A request for transportation issued by a quartermaster should set forth date and place of issue, time for which it will be valid, name of company required to furnish transportation, name of the person or of the one in charge of the party to be transported, with number thereof, pounds of extra baggage if any, organization to which the person belongs if an officer or enlisted man, the places of original departure and ultimate destination, with the initial letters of each road or line to be used on the journey.

**1086.** The officer furnishing the request will indorse thereon the authority for its issue, the number, date, and place of issue of the order for transportation, and the nature of the journey or purpose for which it is to be performed, as follows: "Changing station;" "Deserters" (giving name, rank, company and regiment); "Returning from furlough, proper officer notified;" "On detached service" (the nature of the service to be stated); "Discharged soldiers en route home (or en route to paymaster), indorsed on final statement;" "Insane soldier with escort to insane asylum;" "Guard and prisoners;" "En route to or returning from civil court under orders without summons;" "Clerk (or agent) of the Quartermaster's Department;" and cause for travel, etc.; and if the request is issued by virtue of any contract that fact will be stated and the contract designated.

**1087.** The space on the request reserved for "Remarks" is intended for any extraordinary notice, as, for example, when special rates shall govern, or when limited or unlimited tickets shall issue in cases where two or more classes of tickets are on sale, differing in cost or in time during which they can be used. Where through rates exist, notation should be made upon each of a series of separate requests involving continuous travel over two or more roads to the effect that settlement will be made on the basis of the division, among the roads interested, of the through limited rate for the entire journey. All officers charged with the duty of providing transportation will inform themselves upon these points, and will avail themselves of all opportunities of securing acceptable transportation at the lowest prevailing prices. The accommodations afforded by tourist sleeping cars, colonist or emigrant sleepers (a seat by day and a berth by night for each soldier), will be furnished whenever practicable, provided the cost of such accommodations, in addition to the travel fare imposed, does not exceed the cost of through limited first-class tickets between the points involved. As a rule, such accommodations should be procured at the cost of second-class fare with the price of seat or berth, or both, added; and in forwarding detachments even lower rates may be secured. Disbursing quartermasters will report to the Quartermaster-General all cases of neglect or error on the part of officers issuing transportation requests which result in a waste of public money.

**1088.** Requests should be properly receipted by the party named therein, and tickets procured before commencing the journey, as conductors are not authorized to accept transportation requests. If more than one person is to be transported, the officer or person in charge of the party, in filling the receipt, will state the number of the persons and pounds of extra baggage carried, and the class and description of transportation furnished. In no case will a receipt be given for transportation of more persons or extra baggage than the request calls for.

**1089.** The blank receipt at the bottom of the request will be filled in ink, and if the person receipting can not write his name he will make his mark, which will be witnessed. Names and places will be written in full. If the transportation is furnished by other than passenger train or other than passenger cars the fact will be stated in the receipt.

**1090.** Officers will take advantage of any existing through rates, either for the whole or part of the journey. When transportation is required over several roads by which arrangements have been made for through transportation upon single tickets, a single request, addressed to the initial road, will be issued (except as provided in paragraph 1093), upon which tickets should be procured by the officer issuing it or by the party to be transported.

**1091.** If transportation is required over a line of roads, one or more of which are land grant and subject to deduction of rates, and a single request is issued therefor, the name of the road, the fact that it is land grant and subject to deduction, also the per centum of deduction, will be stated in the request, and in settlement for the service the deduction on account of land grant will be made.

**1092.** If arrangements have been made for transportation for a part of the distance at less than the regular through rate, the rate for that part will be stated in the request.

**1093.** When transportation is required over a land grant road, a separate request may be issued therefor if the road desires it, provided the railroad company agrees that such action will not commit the United States to the payment of local rates for through transportation. Separate requests must be issued in all cases where transportation is required over a bond aided road.

**1094.** Duplicate requests for transportation will not be issued, nor will a request be issued after the transportation service has been performed.

**1095.** No portion of a request above the signature of the issuing officer will be changed in any particular. If explanations are required, they will be made on the back of the request.

**1096.** All unused tickets or parts of tickets procured on a transportation request will be returned to the officer who issued it, and by him forwarded to the officer who pays the account for the service. The value of such ticket or parts of tickets will be deducted from any money due or to become due the company for transportation over whose line they were obtained. On the collection of the value of such unused tickets they will be returned to the company by which they were issued.

**1097.** When transportation to any given point and return is required, the request for return transportation should be obtained at the destination, provided it can be there procured, except in cases where round trip tickets

can be obtained at reduced rates and made available for the journey ; otherwise the quartermaster will issue two sets of requests, one to the place of destination, the other for return transportation.

**1098.** All facts necessary to enable the paying officer to decide as to the regularity or propriety of the proceedings will be stated upon the request. Should it appear to the paying officer that transportation has been improperly furnished by the issuing officer, he will make payment to the carrier for the service actually rendered, and will send to the Quartermaster-General a statement of all the facts, with a certified copy of the request.

**1099.** Officers drawing mileage are authorized to carry with them, at public expense, such quantity of baggage as they may require, not exceeding 150 pounds. This will include the portion carried free by the transportation lines.

**1100.** Officers traveling under orders with transportation furnished them in kind by the Quartermaster's Department, and who desire to retain in their possession a quantity of baggage greater than that passed free for passengers by the carrier, will be furnished with transportation requests, on which will be stated that portion of the 150 pounds of baggage allowed in excess of the quantity which, by the tariff of the respective carriers, is transported free. The officer receiving the request will certify, in the receipt appended thereto, whether transportation for such excess of baggage has been furnished, and settlement will be made by the Quartermaster's Department with the respective carriers accordingly.

**1101.** The Quartermaster's Department may provide transportation of baggage for enlisted men traveling under orders without troops, not to exceed the following weights:

	Pounds.
Noncommissioned officers.....	100
Privates of the Hospital Corps.....	100
Other privates.....	50

This allowance will accompany each man on the conveyance by which he is transported, and will include the number of pounds of baggage carried free on the passage ticket.

**1102.** Quartermasters, in issuing requests for transportation of officers and others traveling under orders, will not include therein public property of any description, nor personal baggage in excess of that portion of the allowance of 150 pounds not carried free, and for which transportation at public expense is authorized.

**1103.** Books of blank transportation requests will be provided by the Quartermaster-General. They will be furnished to quartermasters, who will receipt and account for them. Requests issued will be reported on the prescribed form. The numbers of all requests received, issued, canceled, etc., will be specified in the proper abstracts, and all canceled requests will accompany voucher to Abstract I.

**1104.** An officer relieved from duty in the Quartermaster's Department or transferred to another station will turn over to his successor all blank requests in his possession, unless otherwise directed, taking a receipt therefor, which will show the blank requests turned over and their numbers.

**1105.** Blank requests will not be removed from the military department to which they have been furnished, nor will they be transferred to officers

who are not authorized to receive them. If lost or stolen, a report, giving numbers and series of those missing and circumstances attending loss, will be made at once to the chief quartermaster of the department and the Quartermaster-General, and the former will notify the transportation lines in his department and vicinity not to honor them.

**1106.** The stub of the request, containing its substance, and showing by what authority and for what purpose issued, will be preserved as part of the permanent record of the post or office from which the issue was made.

#### *Ferries, Turnpikes and Bridges.*

**1107.** Whenever it shall be necessary for troops, teams, or employees in the military service to pass on public duty over a legally constituted toll bridge, ferry, or turnpike, the officer or person in charge of the party will apply to the nearest quartermaster for a request for such passage. If he can not obtain it, he will give to the keeper of the bridge, ferry, or turnpike a certificate stating the number of persons and whether mounted or on foot, number of loose animals, teams and animals to each team, for which toll or ferriage is due, and showing that the travel is on public duty. Accounts for such service, accompanied by the request, or certificates duly receipted, will be presented to the nearest disbursing quartermaster for settlement, who, before payment, will satisfy himself that the rates charged do not exceed those authorized, or paid by private individuals, and that the indebtedness was necessarily incurred for the public service. Payment may be made at the authorized or usual rates, unless more favorable terms can be obtained.

#### *Street-Car and Ferry Tickets.*

**1108.** Written requests for street car and ferry tickets will be prepared by quartermasters and forwarded to the Quartermaster-General for authority to purchase. These requests will state the number, character, and cost of the tickets required, and the officers submitting them will certify that the tickets are for use in messenger service in the public business. The tickets when purchased will be taken up on the return and expended solely in the performance of messenger service on public duty. In cases where street car or ferry companies have no tickets for sale, reimbursement for fare paid may be made on a service voucher.

#### *Sleeping Car.*

**1109.** The following persons are entitled, at public expense, to a double berth in a sleeping car, or to the customary stateroom accommodations on steamers where extra charge is made for the same: Officers of the Army traveling on duty with troops; civilian clerks and agents in the military service when traveling under orders on public business; sergeant-majors, ordnance, commissary, and quartermaster sergeants (post or regimental), hospital stewards, chief musicians, principal musicians, chief trumpeters, saddler-sergeants, and sergeants of the Signal Corps, when traveling under orders on public business without troops; also invalid soldiers when so traveling on the certificate of a medical officer showing the necessity therefor. Officers of the Army traveling with troops on day journeys are entitled to seats in day parlor cars, provided such privilege is not covered by sleeping car accommodations already held by them.

**1110.** Quartermasters providing parlor and sleeping car accommodations will issue requests therefor, and state therein the number of berths or seats required.

**1111.** When a journey is to be performed covering the route of more than one sleeping or parlor car, separate requests will be issued for accommodations in each car in which the person is to travel.

**1112.** The holder of a request which calls for sleeping or parlor car accommodations will receipt for the number of berths or seats furnished, naming the points between which they were furnished.

**1113.** Persons holding requests for sleeping or parlor car accommodations will, whenever practicable, present them to the proper agent, and obtain tickets for the number of berths or seats required, before commencing the journey. When not practicable to do so, berths or seats will be secured from the conductor of the car.

**1114.** Special sleeping or parlor cars will not be chartered when the expense exceeds the cost of the berths or seats authorized to be furnished.

**1115.** When it is impracticable for agents or conductors to furnish berths or seats in sleeping or parlor cars, the holder of the request will, on the termination of his journey, return it to the issuing officer with a statement of the reasons why it has not been used, and that officer will account for it on his return.

**1116.** The Quartermaster's Department will pay accounts for sleeping and parlor car accommodations when made out in the name of the company furnishing them, and based upon requests issued by quartermasters. In settlement it will not allow for a greater number of berths or seats than is called for in the request, although more may have been receipted for; and when a less number has been receipted for than the request mentions, it will pay in accordance with the receipt. When the receipt covers a greater number of berths or seats than is called for in the request, the disbursing officer will report the fact to the Quartermaster-General, but payment for the authorized number will not be delayed.

**1117.** An officer traveling with troops who incurs expense for authorized sleeping or parlor car accommodations, when it is impracticable to obtain a request therefor, will be reimbursed by the Quartermaster's Department, upon application supported by a receipt for the amount paid by him and a copy of the orders under which the journey was performed.

#### *Transportation of Baggage.*

**1118.** In changing station an officer's authorized allowance of baggage will be turned over to a quartermaster for transportation as freight by ordinary freight lines, unless otherwise ordered by the department commander or higher authority. No reimbursement will be made to an officer who, under such circumstances, sends packages by express or ships and pays for the transportation of his baggage.

**1119.** The baggage to be transported at public expense, including mess chests and personal baggage, upon change of station, will not exceed the following weights.

Rank.	In the field.	Changing station.
	<i>Pounds.</i>	<i>Pounds.</i>
Major-general .....	1,000	3,500
Brigadier-general .....	700	2,800
Field officer .....	500	2,400
Captain .....	200	2,000
First lieutenant .....	150	1,700
Second lieutenant .....	150	1,500
Acting assistant surgeon .....	150	1,200
Veterinary surgeon .....	150	500
Post and regimental noncommissioned staff officer, hospital steward, chief musician, and sergeant of the Signal Corps, each .....		500

These allowances are in excess of the weights transported free of charge under the regular fares by public carriers. They may be reduced pro rata by the commanding officer, if necessary, and may, in special cases, be increased by the War Department on transports by water. Shipments of officers' allowance of baggage will in all cases be made at carrier's risk, including those over roads where tariffs provide for extra charge therefor.

**1120.** The Quartermaster's Department will transport the authorized change of station allowance of baggage and professional books and papers for officers or enlisted men upon retirement, or who die in the service, from their last duty stations to such places within the limits of the United States as may be the homes of their families, or as may be designated by their legal representatives or executors.

**1121.** Transportation of change of station allowance of baggage is authorized for such contract surgeons as may be employed, when they join for duty under the first order, and also on return to their homes on the termination of their contracts, if provided for in the contracts. Graduates of the Military Academy and officers promoted from the ranks will be furnished with transportation for field allowance of baggage on their first assignment to duty as commissioned officers. With these exceptions, transportation of baggage at public expense is not authorized for officers joining for duty on first appointment to military service, nor upon reinstatement or reappointment, nor to effect transfers from one company or regiment to another at the request of parties transferred. Officers ordered on temporary duty and officers going abroad as military attachés are not entitled to such transportation. An officer detailed as attaché, however, is entitled to have his full allowance transported from the post he leaves to his home, or to the nearest convenient place of storage, and upon resuming duty in this country from such place of storage to his post of duty. While on journeys as an attaché, the cost of transporting his personal baggage can not be paid by the Quartermaster's Department.

**1122.** The Quartermaster's Department will furnish transportation for the prescribed regimental and company desks, for the books, papers, and instruments of staff officers necessary to the performance of their duties, and for the medical chests of medical officers; also for the professional books of officers changing station, officers ordered home for retirement, graduates of the Military Academy, and officers joining on first appointment,

which they certify belong to them and pertain to their official duties; also the professional books of hospital stewards changing station, not exceeding two hundred pounds in weight. Invoices of packages turned over to the shipping officer will be accompanied by the certificate of the officer as to character of books, and a certified copy will be attached to the bill of lading issued at the initial point of shipment. The certificate as to the character of the books of a hospital steward will be given by the medical officer under whom he last served.

*Transportation of Supplies.*

**1123.** Quartermasters will, prior to shipment, securely pack, seal, and weigh all quartermaster's supplies, if practicable.

**1124.** Quartermasters and agents shipping public property or baggage will mark every package with the name and station of the officer to whom consigned, and will number them consecutively. Packages of quartermaster's supplies should, so far as practicable, bear consecutive numbers, to be preceded or followed by the numbers given to the packages of other classes of property shipped at the same time; but no two packages of the same shipment will bear the same number, except in case of reshipment of packages already numbered. When supplies are shipped in large quantities, and in packages of like dimensions and weight, numbering may be omitted. In cases of reshipment, stores will be re-marked if necessary by the officer required to reship them.

**1125.** Officers turning over property to a quartermaster for transportation will plainly mark each package with the name and address of consignee, a list of its contents, its weight, and "U. S."

**1126.** An officer who turns over supplies to another for transportation in the best condition in which it is possible to put them is relieved from any further responsibility therefor by the receipt of the officer to whom they are intrusted for transportation. Should the officer to whom the stores are consigned discover damage or deficiency, he will apply for a board of survey, before which all concerned will be heard in person or by letter. The board will ascertain and determine the amount and condition of the stores actually delivered to the receiving officer, who will receipt to the officer intrusted with their transportation for the amount and quantity so determined. The latter officer will be held responsible for all damages or deficiency, unless relieved therefrom by the report of the board of survey, duly approved by the reviewing authority.

**1127.** When a quartermaster receives supplies, transported by a common carrier under agreement with the Quartermaster's Department, which do not correspond to the invoice because of damage or deficiency not attributable to ordinary loss or wastage, the facts will be fully investigated by a board of survey (unless the carrier voluntarily assumes liability for the loss) and the money value of the damage or deficiency will be charged to the party responsible therefor, whether the shipping officer or carrier. The authority which calls the board will, as soon as possible, transmit copies of its proceedings to the forwarding and receiving officers and to the officer authorized to pay the account. In case the responsibility is fixed upon the carrier, the receiving officer will note on the bill of lading the deductions which should be made for such loss or damage by the quartermaster who pays the account. The latter will make the deduction and refund the

amount stopped to the proper department, in the following manner, for example: If from an account of \$100 for transportation services there is a deduction of \$25 for ordnance stores lost, the quartermaster will take credit under the head "Transportation of the Army" for \$75 paid to the carrier, and also for \$25 deposited to the credit of the Treasurer of the United States on account of the Ordnance Department; but if the deduction is on account of forage lost by the carrier, he will take credit on his account current, under transportation, for \$25 as carried to "Regular Supplies," under which head he will charge himself with that amount.

**1128.** Transportation by express, when in excess of cost by ordinary freight, must be limited to emergencies, and vouchers in payment must show the emergency and authority for such transportation. Upon application approved by the department commander, a quartermaster may transport public funds by express. In such cases he will receipt only for so many sealed packages said to contain so much public money. When an absent disbursing officer sends his check to the order of the quartermaster, requesting him to express the amount named therein, the latter will receipt for the actual amount to be transported. In case of loss of funds by unavoidable accident, the shipping officer will not be held responsible, and the officer accountable for the funds must seek relief through application to the Court of Claims or to Congress.

*Transportation for other Departments.*

**1129.** The Quartermaster's Department will ship all freight that may be delivered to it, securely packed and properly marked, by any of the Executive Departments or bureaus of the Government. Separate bills of lading will be used and the following notation made thereon: "Payable by the Treasury Department," "the Navy Department," "the Interior Department," "the National Museum," "the United States Fish Commission," etc. When practicable, the bureau to which the freight pertains will be stated, for example: "Payable by the Navy Department, Bureau of Ordnance." Accounts in duplicate, supported by these bills of lading, will be prepared by any quartermaster to whom they may be presented, and will be forwarded to the Quartermaster-General. In making up the accounts the same plan as to deduction on account of land grant or bond aided railroads will be pursued as in accounts for transportation of other Government property.

**1130.** The Quartermaster's Department is authorized to ship (under the regulations governing the transportation of military property, and on the same forms of bills of lading) articles donated to the Medical Museum at Washington, the library and museum of the Military Service Institution at Governors Island, N. Y., or the United States Military Academy at West Point, N. Y. Packages will be marked with the name of the institution, and sent in care of depot quartermaster at Washington or New York, or quartermaster at West Point.

**1131.** Arms, ordnance stores, and quartermaster's supplies, issued to the several States and Territories under the laws for arming and equipping the militia, will be turned over to the Quartermaster's Department for transportation and delivery at the railroad depot or steamboat dock nearest to the point within the State or Territory designated by the governor thereof. Separate bills of lading will be used in shipping this property.



**1132.** A quartermaster is authorized to transport books and musical instruments purchased for, or donated to, post chapels or to post or company libraries.

*Bills of Lading.*

**1133.** Public property will be transported on bills of lading, which will be numbered consecutively in the order of shipment, beginning with the first shipment of each fiscal year. They will consist of two parts, the original and duplicate, each to be certified by the shipping officer and receipted by the carrier.

**1134.** Bills of lading will be prepared in the name of the carrier, and will show the points between which transportation is required, also places of original departure and ultimate destination of the freight.

**1135.** Bills of lading will show the number, marks, contents, and weight or measurement of each package or class of packages to be transported, as follows:

Marks.	No	No. of packages.	Contents.*	Weight, lbs.
Maj Geo. Bliss, C. S., U. S. A., Washington, D. C. U. S. property.	1 to 20	20 boxes..	Canned corned beef.....	1,200
	21 to 30	10 do ..	Dried salmon.....	1,500
	31 to 35	5 do ..	Evaporated peaches.....	300
	36 to 40	5 do ..	Canned tomatoes.....	300
Maj. John Bell, Depot Q. M., Washington, D. C. U. S. property.	41 to 45	5 do ..	Blacksmith's tools.....	960
	46 to 50	5 do ..	Carpenter's tools.....	384
	51	1 do ..	Mason's tools.....	236
	52	1 keg ..	Chains.....	372
	53 to 55	3 coils ..	Rope.....	648
Capt. John Smith, Q. M., U. S. A., Georgetown, D. C. U. S. property.	56 to 60	5 bales ..	Coats.....	550
	61 & 62	2 do ..	Sheets.....	120
	63 to 65	3 boxes..	Hats.....	200
	66 to 70	5 do ..	Shoes.....	500
	71 to 75	5 kegs ..	Horseshoes.....	600
	76 & 77	2 do ..	Horseshoe nails.....	75
	78 to 80	3 do ..	Cut nails.....	360
	81 & 82	2 bundles	Bar iron.....	200
Lt. Jas. Smith, 1st Inf., Ft. Monroe, Va., Changing station. Private property.	83 & 84	2 boxes..	Baggage.....	800
	85 to 88	4 pkgs..	Furniture.....	900
	89 to 91	3 chests..	Prof. books, papers, instru- ments, etc. (as the case may be).	100
Co. I, 1st Infantry, Co. property. Ft. Myer, Va.	92 & 93	2 boxes..	Books.....	754
	94	1 do ..	Field desk.....	100
	95 & 96	2 do ..	Band instruments.....	326
Com'd'g. Officer, Rock Island Arsenal. from Capt. John A. Robin- son, 7th Inf.	97	1 do ..	Bayonet scabbards and belts.	160
Total.....				11,645

\*The contents should be shown in sufficient detail to enable the Quartermaster's Department to recover in case of loss, as well as to know in all cases what was actually transported.

**1136.** In the transportation of baggage with officers or troops, the bill of lading should show plainly whether the whole weight specified in the bill is to be paid for by the United States, or whether a deduction is to be made for the number of pounds allowed each passenger by the carrier. In the latter case, if the actual number of pounds to be deducted is not known, the number of persons receiving transportation will be stated.

Via (the route to be stated, giving the initials of each road, if practicable).

**1137.** Personal baggage of officers will not be shipped on Government bill of lading, except such quantity as is transported at Government expense in change of station, unless transportation by wagon or other conveyance owned by the United States is furnished.

**1138.** In transporting by rail, the number of animals, number and weight of packages, number of feet of lumber or pieces of timber and dimensions will be expressed in the bill of lading in figures as well as number of car loads; and when transportation is to be paid for by weight, the number of pounds will be stated. In shipments by water at cubic measurement, the same rules as to number, weight, and measurement will be observed. The officer receiving the property, in certifying to its correctness, will write out the weight in words and figures.

**1139.** Erasures, interlineations, or alterations in bills of lading must be explained thereon by the issuing or other competent officer over his signature.

**1140.** In no case will a second original or duplicate bill of lading, or a copy of a bill of lading be issued to the carrier for any shipment, nor will a bill of lading be issued after the transportation service has been performed.

**1141.** The rate of transportation charges and the initial letters of each road by which the supplies are to be transmitted will be inserted in the bill of lading.

**1142.** The original bill of lading will be given to the carrier at the time the shipment is made, and upon the delivery of the property in good order and condition will be receipted by the consignee and returned to the carrier with such further indorsement as may be necessary to insure settlement. The duplicate will be promptly transmitted by the shipping officer to the consignee, and upon delivery of the property will be receipted in like manner as the original and forwarded to the paying officer. If the shipping officer is not the paying officer, he will be notified by letter of the receipt of the supplies and their condition when received.

**1143.** Bills of lading will be made payable by the chief quartermaster of the department in which the supplies are to be delivered, unless some other officer has been designated to pay them.

**1144.** Bills of lading issued for supplies to be forwarded by conveyance owned or leased by the Government will show that no payment is to be made for the service.

**1145.** Transportation should be provided to ultimate destination and on through bills of lading when practicable. When not practicable, or when through or special rates can not be secured, transportation will be furnished to the most convenient point for forwarding to ultimate destination or to the farthest point to which through or special rates can be obtained.

**1146.** In transportation of public stores over a line of roads, one of which is land grant and subject to deduction of rates, or is not entitled to payment for transporting such stores, separate bills of lading, stating that it is land grant, may be issued to it if requested.

**1147.** Bills of lading will not be issued so as to include service beyond the termination of any road owned, leased, controlled, or operated by a bond aided railroad company. When such service is required, separate bills of lading will be issued, but none to include service over more than one bond aided road with its leased lines and branches; the issue of separate bills for through transportation is for the convenience of railroads only, in settling

their accounts, and will not commit the United States to the payment of local rates for any portion of the through transportation. Such bills will indicate the point of original departure and ultimate destination of the freight transported.

**1148.** In the absence of the consignee or on his failure to receipt, the officer receipting will certify that he is duly authorized to do so, and why the consignee does not receipt. Clerks and agents are not authorized to receipt bills of lading unless the stores are consigned to them or to their care.

**1149.** In case of loss or damage to property while in possession of the carrier, the bills of lading will not be receipted until such loss or damage is decided upon and the responsibility therefor fixed, except that when the loss or damage has been ascertained and the responsibility fixed without the action of a board, the bill may be receipted and an indorsement made thereon stating the kind of property lost or damaged, its weight or measurement, its full value including cost of transportation, and the name of the company or party responsible therefor. When a receipted bill of lading is demanded by the carrier, it may be receipted by the receiving officer after noting thereon the loss or damage which is apparent, and adding that final settlement will await the action of a board of survey. All the indorsements of the receiving officer on the original bill of lading will be put upon the duplicate.

**1150.** Payment will be made on the original bill of lading properly receipted and accomplished, but not until the duplicate has been received by the paying officer, except as provided in the following paragraph.

**1151.** In case of loss or destruction of one part of the bill of lading, the paying officer, after satisfying himself of the fact, will report it to the Quartermaster-General with recommendation as to payment.

**1152.** In case both parts of the bill of lading have been lost or destroyed, the shipping officer, upon the application of either the carrier, the consignee, or the paying officer, will issue a certificate in duplicate, in the prescribed form. This certificate may be given by the officer in charge of the records of the post or depot, although he may not have made the shipment. Entry should be made in the shipping book of the loss of both parts of the bill of lading, and of the fact that the certificate has been issued. The certificate will be forwarded to the consignee, who will indorse thereon his certificate as to the receipt of the property and its condition. If a board of survey has acted on the shipment, he will attach a copy of the proceedings to the certificate.

**1153.** A shipping officer will give his certificate only when necessary to enable the carrier to receive payment, and not until he has satisfied himself, by correspondence with the officer to whom the stores were shipped and the officer designated to make payment, that neither part is in their possession. He will also require the affidavit of the carrier, stating that neither part of the bill of lading is in his possession nor can be traced by him, and if subsequently found that he will make no demand thereon, but will at once surrender it to the United States. Upon this evidence, and with the authority of the Quartermaster-General, payment may be made for the service. In case either or both parts of the bill of lading should subsequently be recovered by the shipping officer, he will note the fact in the shipping book and forward the same to the Quartermaster-General.

**1154.** Officers will satisfy themselves of the loss of the original bill of lading before they surrender the duplicate to the carrier. If lost while in the possession of an officer, his certificate will be sufficient.

**1155.** In case of the loss of a bill of lading while stores are in transit, railroad companies are requested to forward them to destination, taking such receipts as they may deem necessary to show delivery to connecting lines. They will present these receipts instead of the bill of lading to the disbursing quartermaster, who, after having satisfied himself of their correctness, will make payment as directed in paragraph 1158.

**1156.** Payment in case of loss of either or both parts of a bill of lading will be promptly reported to the Quartermaster-General by the disbursing officer, who will give description of bill of lading, or certificate, and voucher on which payment is made.

**1157.** To insure prompt delivery of stores in the absence of both parts of the bill of lading, the consignee may give to the carrier a receipt for the stores actually delivered, which will state that it is given because the bill of lading has not come to hand. The receipt will be recovered and destroyed by the officer who issued it, on the recovery of the bills of lading, or when the certificate provided for in paragraph 1152 shall have been given.

**1158.** Payment for transportation will be made to the last carrier, unless otherwise provided in the bill of lading, and only for the quantity of stores delivered at destination, except that in case of loss of weight from natural shrinkage en route, the weight shipped, as shown in bill of lading, will be paid for, provided the packages are delivered intact. The payee will be held responsible for all loss or damage to stores while in transit (unless relieved by a board of survey), and such loss or damage will be deducted in making settlement for the service.

**1159.** Officers in settling accounts for transportation, or forwarding them to the Quartermaster-General for settlement, will obtain from the companies or lines employed authentic and official lists of tariffs in force at date of service, and will attach to the first account so settled or forwarded two copies thereof (one for the use of that office and one for the Treasury), and thereafter, as each account is settled or forwarded, will refer to said lists as long as they are in force. When current rates are charged, a certificate of the proper agent of the line or company performing the service should be appended to the account, setting forth that such rates were the current and lowest rates charged the public at the time the service was rendered. When charges such as drayage, wharfage, tolls, etc., are made as part of an account, they will be fully and separately set forth in the voucher.

**1160.** When public tariffs do not include the specific articles shipped, the rates and classification of articles analogous thereto will govern. If articles analogous can not be found in the tariff lists, the companies will be requested to classify the articles transported.

*Land Grant and Bond Aided Railroads.*

**1161.** General orders will be issued containing full information as to land grant and bond aided railroads, and directing the mode of stating and rendering accounts of such roads for military transportation.

**1162.** Quartermasters will be designated to receive and prepare the accounts of these railroad companies.

## CLOTHING AND EQUIPAGE.

**1163.** A table showing the price of clothing and equipage for the Army, the allowance of clothing in kind to each soldier for each year of his enlistment, and his clothing money allowance for each year and day thereof, also the allowance of equipage to officers and enlisted men, will be published in orders.

**1164.** Estimates of clothing and equipage will be made quarterly as follows: On January 1 for a supply to last until June 30; on April 1, until September 30; on July 1, until December 31; on October 1, until March 31. Each company or detachment commander will prepare these estimates on the prescribed form and forward one copy to the post commander at the beginning of the period for which the estimate is made. They will be based on the authorized strength of the command and will show the quantities and sizes of the articles required and of those on hand.

**1165.** The post commander, after careful revision of these estimates, will cause the quartermaster to consolidate them and add such articles as may be needed for post purposes for the same period. Company or detachment estimates will be retained in the office of the quartermaster for the information and guidance of those concerned.

**1166.** The quartermaster will forward, through the regular channel, two copies of the consolidated post estimates to the chief quartermaster of the department, accompanied by a statement showing the articles of clothing (specifying sizes), equipage and materials on hand at the post in excess of the requirements of the service for the period covered by the estimate. Chief quartermasters will report to the Quartermaster-General any unnecessary accumulation of clothing or equipage at a post.

**1167.** After revision and approval of the post estimates at department headquarters, the chief quartermaster will forward the same so as to reach the Quartermaster-General's Office not later than February 1, May 1, August 1, and November 1, respectively.

**1168.** If at the time estimates are prepared it be known that any of the troops are to change station, their estimates will not be included in the post estimates, but will be forwarded separately. The new station to which the supplies should be sent will be stated.

**1169.** Should the quantity of clothing and equipage supplied upon the periodical estimates prove inadequate, a special estimate in duplicate giving reasons therefor should be made and forwarded through proper channels to the Quartermaster-General.

**1170.** Officers of the recruiting service will, prior to the beginning of each quarter, forward estimates for a three months' supply of clothing and equipage to the Adjutant-General of the Army, who, after revision, will transmit them to the Quartermaster-General. These estimates should be made in duplicate and be accompanied by a list of such articles as may be on hand and not required for use during the period estimated for.

**1171.** Clothing and equipage required by the Engineer Battalion and ordnance detachments will be estimated for at the dates and for the periods indicated in paragraph 1164. The estimates will be made in duplicate and forwarded to the chiefs of the respective corps, who, after revision, will transmit them to the Quartermaster-General.

**1172.** After the clothing and equipage are received at a post, the quartermaster will make issues in such quantities and at such times as the company or detachment commanders may require and as may be approved by the post commander. No issues of garments of larger sizes than are actually needed will be made for the purpose of altering them into smaller sizes.

**1173.** All officers making estimates or requisitions for clothing and equipage will conform to regulations and orders fixing allowances. The following tables show the proportion of sizes to each hundred of the articles:

Articles.	Sizes and proportions of each						Total.
	6 $\frac{1}{2}$	6 $\frac{3}{4}$	7	7 $\frac{1}{2}$	7 $\frac{3}{4}$	7 $\frac{1}{2}$	
Helmets.....	6	21	31	26	12	4	100
Campaign hats.....	6	21	31	26	12	4	100
Forage caps.....	6	21	31	26	12	4	100
Canvas caps.....	6	21	31	26	12	4	100

Articles.	Sizes and proportions of each.												Total.
	1	2	3	4	5	6	7	8	9	10	11	12	
Boots.....					3	11	31	33	16	4	2		100
Shoes.....					3	11	31	33	16	4	2		100
Uniform dress coats.....	10	25	30	25	6	4							100
Overcoats.....	10	25	30	25	6	4							100
Blouses.....	10	25	30	25	6	4							100
Canvas fatigue coats.....	10	20	30	20	15	5							100
Stable frocks.....	15	45	30	10									100
Undershirts, knit.....	8	36	38	15	3								100
Overshirts, dark-blue flannel.....	8	36	38	15	3								100
Trousers, kersey.....	5	5	15	15	10	5	10	5	10	10	5	5	100
Trousers, summer.....	10	20	30	20	15	5							100
Trousers, canvas, fatigue.....	10	20	30	20	15	5							100
Drawers, canton flannel.....	15	25	35	20	5								100
Canvas mittens.....	25	45	30										100
Fur gauntlets.....									30	50	20		100

The sizes furnished require very little, if any, alteration, and estimates should be made as near the exact requirements of the men as possible.

**1174.** Should any of the sizes of clothing specified in the foregoing paragraph prove inadequate, measurements stated upon prescribed blanks will be forwarded with the estimate for the garments. A certificate that the enlisted man for whom such clothing is intended can not be fitted with the sizes of clothing furnished should accompany each requisition. Additional cost of manufacture, as given in annual price list, will be charged in each case.

**1175.** Unmade uniform coats, blouses and trousers will be supplied for issue in special cases to enlisted men at cost of materials. They will be obtained from the Quartermaster's Department in the same manner as other articles of clothing, and it is made the duty of commanding officers to see that this clothing, when made, conforms strictly to standard patterns. The materials for each coat, blouse, or pair of trousers, with the buttons, thread, needles, and all necessary trimmings, will be rolled in a bundle, which will be securely fastened and marked with the size of the garment.

**1176.** When unmade articles of clothing received by officers at military posts are found to be incomplete but otherwise in good condition, they will not be submitted to an inspector for condemnation, but will be turned over to the nearest manufacturing depot to be completed; or a requisition for the missing parts may be made.

**1177.** The clothing estimated for by each company or detachment commander should, as a rule, be held subject to its wants, but in case of need it may be otherwise issued, and the quartermaster will then call for a sufficient quantity to replace it if necessary.

**1178.** When clothing is required, a schedule enumerating the articles needed by each man and the money value of each article will be prepared by the company or detachment commander on the prescribed form. This schedule approved by the commanding officer will be sent to the quartermaster, and when the clothing is ready for issue the commander of the organization will be notified. Issue will be made by the quartermaster in the presence of a disinterested commissioned officer, who will witness the signatures of the soldiers upon the schedule, and this will be returned to the commander of the organization, with the certificate of the quartermaster that the articles specified have all been issued. The number of each article and the total value of all the articles issued to each organization will be entered by the quartermaster upon duplicate abstracts of issues. The aggregate money value of all the articles issued must agree exactly with the aggregate value of issues to individuals, and the witnessing officer will make this verification of the accuracy of the schedule before certifying to the correctness of the entries upon the abstract.

The commander of the organization and the witnessing officer will both certify on each copy of the abstract that the issues were made as stated in schedule and abstract, and that the money value of the issue to each man has been entered in the clothing book. These entries in the clothing book, with date of issue and name of quartermaster, will be attested by the witnessing officer. The abstract certified as required above, signed by the quartermaster and approved by the commanding officer, will be the voucher for dropping clothing from the return.

**1179.** At ungarrisoned or isolated stations where it is impracticable to have the issue witnessed as required by paragraph 1178, the unwitnessed receipts of men for clothing issued to them will be vouchers to the returns of the issuing officer accompanied by his certificate that he has charged on their clothing accounts the money value of the articles issued or has notified the proper officer to make such charge.

**1180.** Each soldier's clothing account will be kept by the company commander in the company clothing book. The account will show the money value of the clothing received by the soldier at each issue, and his receipt therefor will be taken in the book.

**1181.** Company and detachment commanders will settle the clothing account of every enlisted man of their respective commands six months after the date of his enlistment, and thereafter on June 30 and December 31 of each year. The entire amount found due the United States for the periods embracing the dates of settlement will be charged to the soldier upon the muster and pay rolls. The money allowance of clothing for the first year will be allotted by half years.

**1182.** The balance due the soldier at either of these dates will be credited to him upon the company clothing book. It will not be placed upon the muster and pay rolls, but the final balance due at date of discharge will be entered upon the final statements. In case of transfer, the balance due the soldier or the United States will be entered on the descriptive list. All balances of this character will be stated in words and figures.

**1183.** The clothing account of a soldier who deserts should be settled in full to the date of desertion. The balance due him or the United States will be entered on the next muster and pay rolls after date of desertion. The amount due the United States or the soldier at date of desertion should be ascertained by crediting the soldier with clothing allowance from date of last clothing settlement to the date of desertion (excluding the day of desertion) and debiting him with the money value of all clothing drawn by him; the difference between the two amounts will be the amount due the United States or the soldier.

**1184.** A deserter is entitled to clothing allowance from the date he surrenders or is apprehended, and the amount due him will be computed from the tables then and subsequently in force. A new clothing account will be opened without reference to his account at date of desertion.

**1185.** Clothing allowance accruing to a soldier after return to the service from desertion will not be used to reduce the amount of the soldier's indebtedness at date of desertion; the full amount of the soldier's indebtedness must be charged on the roll, to be deducted by the paymaster when he settles the soldier's account.

**1186.** Whenever the necessity for the issue is certified by the department commander, arctic overshoes, according to pattern in the office of the Quartermaster-General, will be supplied to troops. They will be charged to the enlisted men, but do not form part of the annual money allowance for clothing.

**1187.** Leggings for all troops, of brown cotton duck, according to patterns in the office of the Quartermaster-General, to be worn on marches and campaigns, will be charged to the enlisted men, but do not form part of the annual money allowance for clothing.

**1188.** Articles of band uniforms, including music pouches, that do not form part of the annual clothing allowance may be issued, but not charged except in case of loss or damage. The articles thus issued without charge remain the property of the United States.

**1189.** Canvas mittens and blanket-lined canvas caps conforming to patterns in the office of the Quartermaster-General will be supplied to troops serving in extremely cold regions and to troops stationed at West Point, upon the approval of the department commander or the head of the staff department or corps, as the case may be, at the rate of one pair of mittens and one cap per man per annum. The voucher will show that this issue is gratuitous and made within the above allowance. Issues in excess of such allowance will be charged to the men at regulation prices. In case of loss or destruction of any of said articles of gratuitous issue without fault or neglect on the part of the soldier to whom they have been intrusted, and so certified to by the immediate commanding officer, then the article or articles so lost or destroyed may be replaced without charge to the soldier.

**1190.** Fur gauntlets and caps and woolen mittens, for all enlisted men, according to pattern in the office of the Quartermaster-General, will be issued at cost price, at the rate of one pair of gauntlets, one cap and two pairs of mittens per annum, when the necessity for such issue is certified by post commanders. These articles do not form part of the annual money allowance for clothing.



**1191.** There will be issued to troops stationed in extremely cold regions, when the necessity for such issue is certified by the department commander, overcoats made of fur or other suitable warm material, but only to men performing guard duty or field service, when exposure to weather would jeopardize life or limbs by freezing. The coats should be borne on the returns as equipment and charged to enlisted men only in case of loss or damage other than from ordinary wear and tear. If made of fur, they will, on the approach of warm weather, be turned over to the quartermaster, who will observe the following directions for their preservation:

1. Expose them to the sun and then beat them with a light twig or rattan, making sure that all moth eggs, should any have been deposited, are destroyed. The exposure should be thorough and the beating vigorous, but not severe enough to injure the fur or pelt.

2. Repair coats needing it (using for the purpose, as far as practicable, such articles of a corresponding character as can not be again rendered serviceable) and then pack in boxes well lined with petroleum and wrapping paper (the latter being next the goods), exercising care that no holes or other openings are left in the wrappers for moths to enter. Securely nail the boxes and paste paper over all joints. Sufficient petroleum paper may usually be obtained from broken packages of clothing opened for issue, and should it be dry from age or use it can be freshened by rubbing into the surface coal oil, being careful not to use enough to penetrate the wrapping paper.

**1192.** The Quartermaster's Department is authorized to pay from the appropriation for clothing and equipment a sum not exceeding \$1.50 for the laundry work of each recruit at rendezvous and stations who has no funds of his own. The expenditure will be charged on the clothing account of the recruit and so noted on his descriptive and assignment card.

**1193.** Commanding officers may order necessary issues of clothing to military prisoners who have no clothing allowance, from deserters' or other damaged clothing when there is such in store or from clothing specially provided for the purpose. The receipt of the officer in charge of the prisoners will be the quartermasters' voucher for such issue.

**1194.** Gratuitous issues of clothing may be made, under the provisions of section 1298, Revised Statutes, to replace articles destroyed to prevent the spread of contagious diseases.

**1195.** Should it become necessary to issue new clothing for use in the burial of a deceased soldier, as in the case of a man who dies away from his proper command and under circumstances rendering such issues imperatively necessary, the expense of the issue will be borne by the United States, and the clothing will be dropped from the returns of the issuing officer on the orders of the commanding officer, which must recite the necessity for the issue.

**1196.** Officers may purchase from the Quartermaster's Department such articles of uniform clothing, clothing materials and equipment as they need, provided the property is available. They will certify that the articles are for their personal use.

**1197.** Officers' servants will not be permitted to wear clothing intended for troops, except underclothing and shoes, which may be purchased in limited quantities, if available, upon the officer's certificate that they can not be otherwise obtained.

**1198.** Quartermasters are authorized to drop from their returns tent pins and ax, pickax and hatchet helves, upon officers' certificates that the articles have been worn out in service.

**1199.** Estimates for tableware and kitchen utensils will be made quarterly on the dates and to cover periods named in paragraph 1164. They will be limited to such articles as with those on hand at the time an estimate is submitted shall not exceed in kind and quantity the mess outfit as announced in the general orders prescribed in paragraph 285. Special estimates may be made when necessary to meet emergencies, and in such cases the circumstances constituting the emergencies will be stated.

**1200.** Commanding officers of posts and of all organizations supplied with tableware and kitchen utensils will exercise a rigid supervision and economy in the care and preservation of all such articles, and any damaged, broken, destroyed or lost through the carelessness of enlisted men will be charged against their pay, as explained in paragraph 685, and a "statement of charges" on the prescribed form will be filed as a voucher with the return from which the articles are dropped. Loss through breakage of china and glassware, not due to carelessness, may be replaced at public expense on proper requisition, provided it does not exceed 20 per cent. per annum, or 5 per cent. per quarter, of the total value of china and glassware to which the mess is entitled (value to be determined by the prices given in the annual price list), and the articles so replaced will be destroyed and dropped from returns in the manner prescribed in paragraph 1198. Any excess of breakage will be replaced only under extraordinary circumstances, or when values have been charged as above provided, and requisitions calling for such excess must show clearly the circumstances or the fact that charge has been made. Estimates calling for articles other than china and glassware must show the necessity for them, and if to replace articles lost or stolen, must be accompanied by the proceedings of a board of survey, unless values have been charged as hereinbefore directed.

**1201.** There will be furnished by the Quartermaster's Department to all duly authorized bands of the Army the following-named musical instruments, viz: Db piccolo, terz and concert flutes, Eb and Bb cornets, Eb trumpets, Eb and Bb clarionets, Eb altos, Bb trombones (valve or slide), Bb baritones, Eb and Bb basses, bass and snare drums, cymbals, triangles, music stands and extra parts for the repair of the instruments. Mounted bands may be supplied with a pair of kettledrums in lieu of the bass and tenor drums, cymbals and triangles; and also with altos, trombones, and basses of helicon shape. This property will be accounted for by the quartermaster of the regiment. When any instrument has become unserviceable it will be submitted to a board of survey. A copy of the proceedings of the board will be forwarded to the Quartermaster-General, with a view to having the instrument repaired, if practicable, or otherwise disposed of.

**1202.** There will be furnished by the Quartermaster's Department to each light battery two small brass Bb bugles. To every other company two G trumpets with F slides, and, if desired, detachable F crooks. Foot troops may use the drums and fifes in lieu thereof, if desired by regimental commanders. Whistles will be furnished for such sergeants, corporals, or musicians as are required to use them. The foregoing articles will conform to patterns in the office of the Quartermaster-General, and be accounted for as equipage.

**1203.** A monthly allowance of three brooms and two scrubbing brushes will be issued to each company, and an annual allowance of six scrubbing brushes to each post bakery is authorized. They will habitually be drawn quarterly, but may be drawn when needed. If less than the maximum allowance is drawn in one quarter, credit can not be given in another. The allowance for each noncommissioned staff officer will be three brooms and two scrubbing brushes per annum.

**1204.** Post commanders may, when necessary, order the issue of six brooms per annum to each public office and building furnished by the Quartermaster's Department, as follows: Post commander's and quartermaster's offices, quartermaster's warehouse, post bakery, school, chapel, and library. The necessity for, and the fact of issue, must in all cases be certified by the officer in charge of the office or building, and verified by the post commander.

**1205.** The use of serviceable tents or other canvas for any other purpose than that for which such articles are furnished is prohibited, except in cases of emergency when necessary to protect public property. When troops are not engaged in active service, all tentage (except shelter tents), all tent stoves and stovepipe will habitually be kept in storage by the quartermaster.

#### TELEGRAPHING.

**1206.** The telegraph will be used only in cases of urgent and imperative necessity, in which the delay consequent upon transmission by mail would be prejudicial to the public interests.

**1207.** The prescribed telegraphic code will be accounted for on the post return and transferred upon change of post commanders. The post commander is required to retain the code in his custody, and is responsible for the key and its proper use. Department commanders from time to time, and particularly when post commanders are changed, will make use of the code.

**1208.** Accounts for telegrams on military business, prepared on the prescribed form in the name of the telegraph company rendering the service, and accompanied by the original telegrams, will be paid by the Quartermaster's Department, with the following exceptions:

1. Accounts for telegrams which pass over any of the lines constructed and operated along the bond aided Pacific railroads.
2. Accounts for reimbursement of amounts paid by officers for telegraphic service, which will be prepared upon prescribed form.
3. Accounts for telegrams on public business of a confidential nature when, in the opinion of the officer receiving or sending them, it is improper that copies should accompany the accounts, or where copies can not be procured. When it is questionable whether the telegrams are on official business or that the telegraph should have been used, such accounts will be accompanied by full explanations from the officer who sends or receives the telegrams.

The accounts excepted in this paragraph will be forwarded to the Quartermaster-General for settlement.

In settling accounts for telegrams which pass over the lines of more than one company (bond aided excepted), payment may be made on the original telegram, to the initial company, for the entire service.

**1209.** Telegrams making application for leave of absence or extension of leave, or of inquiry whether leave has been granted, and the replies made thereto by telegraph, will not be sent or paid for as public dispatches.

**1210.** In framing telegrams all words not important to the sense will be omitted. The last name of the officer addressed, or his title, and the last name of the sender are generally sufficient.

**1211.** In counting the words of telegraphic messages the following rules will be observed: Names of cities and places, when used to designate such cities or places, and words properly connected by a hyphen, will be counted as one word. Numerals will be expressed in words, and will not be counted as hyphenated words. Names of places and persons when given to things will be counted according to the number of distinct words in each. Names such as Van Vliet or St. Nicholas will be counted as one word. All words contained in an official telegram will be counted, including name and title of party addressed and of the sender, but excluding the name of the place from which sent, date, and the words "official business," which should appear on each telegram.

**1212.** No settlement will be made with the telegraph office to which a telegram is sent unless satisfactory proof be furnished that the office from which it was sent has neither made nor will make any charge for the service.

**1213.** In each territorial department a quartermaster will be assigned by the department commander to the duty of adjusting and settling telegraph accounts, under the instructions of the Quartermaster-General.

**1214.** Blank forms for official telegrams will be furnished by the Quartermaster-General for the use of all persons in the military service. When such forms are not used the sender will prepay the message, and will be reimbursed as provided in paragraph 1208.

**1215.** Nothing is required of officers sending telegrams beyond the delivery of the message to the company. The proper quartermaster will receive from telegraph companies their accounts, with proofs of service (which should be original telegrams whenever practicable), and will prepare and certify vouchers for the same and pay them, or forward them for settlement as is required in paragraph 1208. Information desired by telegraph companies in regard to military business will be obtained from the Quartermaster's Department.

**1216.** When telegrams are sent "collect," by private individuals, the nature of the telegrams should govern the action of the disbursing quartermaster. If strictly on Government business, payment will be made by the United States.

#### TELEPHONING.

**1217.** Where telephoning is practicable, accounts for the same may be paid from the appropriation for the payment of telegraphic service.

#### RECORDS.

**1218.** The following books will be kept in the office of every quartermaster:

1. A cash book, in which will be entered, according to appropriations, all accounts received and disbursed, the date thereof, from whom received or to whom paid, and on what account.

2. A book of letters received, including a record of indorsements.
3. A press-copy book, in which all correspondence pertaining to the office, including estimates of funds and requisitions for quartermaster's supplies, will be copied and indexed.
4. A record book of barracks and quarters, kept as directed in paragraph 980.
5. A descriptive book of public animals, kept as directed in paragraph 1034.
6. A record of interments (in case of station at a post), kept as indicated in paragraph 498.
7. A press-copy book of stores and property shipped, in which all bills of lading issued will be copied.
8. A book of stores and property received, kept as provided in the directions therewith.

**1219.** The required books will be supplied by the Quartermaster-General. They will not be removed from the office except on its discontinuance, when they will be disposed of as directed in paragraph 800. Commanding officers and inspectors will see that they are neatly kept and contain complete and correct records of all matters which should be recorded therein. Commanding officers will also see that they are properly transferred.

**1220.** All letters received, and copies of all orders for the expenditure of money or property, will remain on file as part of the records of the office. When it is necessary to withdraw a letter for file with the officer's accounts, a duly certified copy will be made to replace it in the office file. Letters pertaining exclusively to the settlement of an officer's accounts belong to him and not to the office files.

#### RETURNS AND REPORTS.

**1221.** All property purchased with funds appropriated by Congress for carrying on the operations of the Quartermaster's Department, and all property supplied for the use of the Army through that Department, will be denominated "quartermaster's supplies," and returns for the same will be rendered to the Quartermaster-General quarterly and when the accountable officer is relieved from duty.

**1222.** All quartermaster's supplies accounted for by an officer will be entered upon one return.

**1223.** The following returns and reports will be made and disposed of by quartermasters as indicated by the notes on the forms furnished by the Quartermaster-General:

1. Report of persons and articles employed and hired, to be rendered monthly, direct to the Quartermaster-General, within ten days after the expiration of the month. This report will contain a complete record of all services rendered the Quartermaster's Department during the month to which it pertains.

2. Monthly report of all bills of lading and transportation requests issued, except those issued for transportation by conveyances owned or chartered by the United States.

3. Transfer list of persons and articles employed and hired.

4. Report of enlisted men employed on extra duty, rendered monthly, within ten days after the expiration of the month. A copy of the order placing an enlisted man on extra duty, or relieving him therefrom, will

accompany the report for the month during which he was so detailed or relieved. The report will also show in the column of remarks the particular duty upon which each man was employed, and whether services were rendered on other than working days.

5. Statement of outstanding debts, rendered monthly, in time to reach the chief quartermaster of the department on the last day of the month to which it pertains.

**1224.** Quarterly returns of quartermaster's supplies will be made in duplicate—one copy, with abstracts (except of articles purchased) and vouchers, will be forwarded to the Quartermaster-General within twenty days after the expiration of the quarter to which it pertains; the other retained by the officer. The abstract of articles purchased will be rendered monthly and forwarded with money accounts.

**1225.** When one quartermaster relieves another, the latter will not enter the receipt for quartermaster's supplies upon the abstract, but directly on the return as "Transferred to successor." The receiving officer will enter the invoice upon the returns as "On hand at the post; received from predecessor."

### ARTICLE LXXIX.

#### SUBSISTENCE DEPARTMENT.

NOTE.—Regulations for the government of the Subsistence Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Commissary-General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

#### GENERAL DUTIES.

**1226.** The Subsistence Department, under the direction of the Secretary of War, provides for the distribution and expenditure of funds appropriated for subsisting enlisted men and for purchasing articles kept for sale to officers and enlisted men. The Commissary-General furnishes lists of articles authorized to be kept for sale, and gives instructions for procuring, distributing, issuing, selling and accounting for all subsistence supplies.

#### COMMISSARIES.

**1227.** Purchasing commissaries make purchases of supplies in accordance with Article LV, and distribute them as directed. Upon direct calls of chief commissaries they transfer to commissaries of posts and stations such funds from the appropriation "Subsistence of the Army" and such authorized subsistence supplies as chief commissaries, under instructions from department commanders, deem necessary.

**1228.** A chief commissary will make calls upon purchasing commissaries designated by the Commissary-General for funds and supplies for posts and stations supervised by him, and under instructions from the Commissary-General will furnish funds and supplies to posts within his department which are exempted from the supervision of the department commander. He will keep a commissary book for each post and station, and decide whether the quantities of articles called for on requisitions should be allowed, increased, or diminished.

**1229.** Commissaries will make timely estimates and requisitions, approved by their commanding officers, for funds and supplies for the troops with

which they serve, and forward them, through military channels, to the chief commissaries. If any of the supplies can be obtained advantageously in the vicinity of the places where needed, the fact will be noted in detail on the requisitions by the commissaries.

#### SUBSISTENCE SUPPLIES IN BULK.

**1230.** Subsistence supplies comprise—

1. Subsistence stores, consisting of articles composing the ration and those furnished for sale to officers and enlisted men, also lantern candles for stable use, forage for beef cattle, and coarse salt for public animals and rebrining.

2. Subsistence property, consisting of the necessary means for handling, preserving, issuing, selling and accounting for these stores.

**1231.** The commanding officer of a post will require an inventory of subsistence stores on hand to be made by the commissary in person during the last week of each month. If it is not practicable for the commissary to take the inventory within the time mentioned, he will apply to the commanding officer for the detail of an officer to take it, who will certify, on the statement of gains and wastage, the fact of detail and the date on which he took the inventory; the commissary will certify to amounts of gains and wastage. When such inventory indicates that stores are on hand in excess of the balances shown by the return, the excess will be taken up under the heading "gains." Deficiencies (as restricted by paragraph 1243) will be entered under the heading "wastage." Statements of gains and wastage will be examined and approved by the commanding officer.

**1232.** Stores longest on hand, if in fit condition, will be first issued, sold, or shipped.

**1233.** An officer having on hand equivalent parts of the ration (such as pork, bacon and salt beef; or flour, hard bread and corn meal; or beans, pease, rice and hominy) will keep informed as to the number of rations of each available, and determine in what relative proportion each should be issued, and will request his commanding officer to direct such issues as are for the interests of the service.

**1234.** When articles of food in good condition furnished for sale have accumulated at a post, and will become damaged if kept on hand solely for sale, the excess may be issued to troops in lieu of parts of the ration of equal money value. In case of articles which are equivalents of some of the components of the ration, issues may be made at the rates prescribed for the components. No stores thus issued are to be bought by the commissary as savings.

**1235.** When canned beef or canned baked beans accumulate at a post in excess of anticipated demands for travel rations or for sale, they may, to prevent loss by deterioration, be issued, upon the order of the commanding officer, at the rates prescribed for those articles when issued as parts of the travel ration.

**1236.** Subsistence supplies in good condition, but not required for use, will be disposed of under the direction of the Commissary General. In urgent cases, such as sudden abandonment of a post, liability to rapid deterioration, etc., they may be sold, or otherwise properly disposed of, on the recommendation of an inspecting officer approved by a commanding general.

**1237.** Empty barrels and boxes, hides, tallow and other like property not required for public use, the disposal of which is not otherwise provided for, will be carefully preserved and sold as may be convenient.

**1238.** Subsistence supplies will not be transferred gratuitously to another staff department, nor obtained, issued, sold, or otherwise disposed of, except as authorized by regulations.

#### TRANSFERS IN BULK.

**1239.** When subsistence supplies are to be transported, the invoicing commissary will make timely requisition in writing upon the proper quartermaster, stating as nearly as possible the kind and amount of supplies to be transported, when they will be ready for delivery, when they should reach their destination, and any other information relating thereto which the quartermaster should possess. The commissary will give the quartermaster invoices in duplicate of the packages and their contents as marked, and obtain from him receipts in duplicate. The commissary will forward similar invoices in duplicate to the consignee, and obtain receipts in duplicate from him.

**1240.** If the receiving commissary finds any discrepancy between the invoices and the quantities, descriptions, or condition of the supplies received, not attributable to ordinary wastage in transportation, he will at once apply to the commanding officer for a board of survey to ascertain the quantity and nature of the discrepancy and fix the responsibility therefor. The receiving commissary will transmit to the invoicing officer receipts in duplicate for the supplies actually received, stating on the receipts the discrepancy ascertained and how, and will file a copy of the proceedings of the board with his return. The invoicing officer will file with his return the receipts accompanied by the quartermaster's receipts.

**1241.** When subsistence supplies are transferred by one commissary to another at the same station, the invoicing and receiving commissaries will exchange duplicate invoices and receipts therefor. Should any of the supplies not be in good condition, a board of survey will be applied for at once to examine and report upon them. The condition as determined by the board will be noted upon the invoices and receipts, and a copy of the proceedings will accompany each officer's returns.

#### GAINS, WASTAGE AND DEFICIENCIES.

**1242.** Wastage will be reported not on the presumption that it exists or will exist, but on the fact that it actually exists as determined by the monthly inventory. It is not allowed on fresh beef furnished directly by a contractor. Gains are taken up as required by paragraph 1231.

**1243.** Actual, unavoidable wastage, occurring during transportation or resulting from evaporation, leakage, etc., or in making issues and sales, may be accounted for as wastage when the amount does not exceed three per cent. in case of salt meats, salt fish, flour, hard bread, corn meal, sugar, soap, salt, molasses, syrup, dried fruit, or pickles; or one per cent. in case of beans, pease, rice, hominy, coffee, tea, candles, or pepper.



**1244.** Salt and vinegar used in rebrining or pickling, and waste of stores in overhauling and repacking, will be accounted for by the certificate of the commissary approved by the commanding officer.

**1245.** Deficiencies exceeding the percentages specified in paragraph 1243, or in articles for which a limit of wastage is not therein indicated, or arising from losses by straying or death of beeves, or errors in their estimated net weight, or from losses by theft, fire, or vermin, or from deficient or unsuitable means of storage, etc., will be accounted for: (1) by boards of survey; (2) by affidavits; (3) by certificates of disinterested commissioned officers. Boards of survey should generally report upon such deficiencies, affidavits or certificates being used only in cases where the amount involved is very small, or when it is impracticable to assemble a board.

**1246.** The facts and quantities involved will be fully set forth in all affidavits or certificates accounting for losses or extraordinary wastage, and in certificates of stores or property expended in preserving supplies. When loss or improper issue of supplies is not satisfactorily explained, their cost will be taken up on the account current of the accountable officer.

#### STOREHOUSES.

**1247.** Storehouses, sheds, paulins, or other means of covering and protecting subsistence supplies will ordinarily be provided by the Quartermaster's Department.

**1248.** Commissaries will make daily inspections of their storehouses; see that they are kept dry and well ventilated, that the stores are properly cared for, that barrels and buckets of water and other means of extinguishing fires are ready for use, and that all proper precautions are taken to guard against loss.

**1249.** Coal oil, gunpowder, quicklime, or other articles of like dangerous nature will not be kept in or near subsistence storehouses.

#### FRESH MEATS.

**1250.** Fresh meats from the block will usually be provided for troops by contract. Beef cattle will be purchased only when necessary for supplying beef to troops in campaign or on the march.

#### THE RATION.

**1251.** A ration is the allowance for subsistence of one person for one day, and consists of the meat, the bread, the vegetable, the coffee and sugar, the seasoning, and the soap and candle components.

**1252.** Enlisted men and hospital matrons are each entitled to one ration per day. When the circumstances of their service make it necessary, civilians employed with the Army may each be allowed one ration per day.

**1253.** The kinds and quantities of articles composing the ration for troops where cooking is practicable, and the quantities computed for 100 rations, are as follows:

Articles.	Quantities per ration.		Quantities per 100 rations.		
	Ounces.	Gills.	Pounds.	Ounces.	Gallons.
<b>MEAT COMPONENTS.</b>					
Fresh beef.....	20	-----	125	-----	-----
or fresh mutton, when the cost does not exceed that of beef.....	20	-----	125	-----	-----
or pork.....	12	-----	75	-----	-----
or bacon.....	12	-----	75	-----	-----
or salt beef.....	22	-----	137	8	-----
or, when meat can not be furnished, dried fish.....	14	-----	87	8	-----
or pickled fish.....	18	-----	112	8	-----
or fresh fish.....	18	-----	112	3	-----
<b>BREAD COMPONENTS.</b>					
Flour.....	18	-----	112	8	-----
or soft bread.....	18	-----	112	8	-----
or hard bread.....	16	-----	100	-----	-----
or corn meal.....	20	-----	125	-----	-----
Baking powder for troops in the field, when necessary to enable them to bake their own bread.....	$\frac{1}{2}$	-----	4	-----	-----
<b>VEGETABLE COMPONENTS.</b>					
Beans.....	$2\frac{1}{2}$	-----	15	-----	-----
or pease.....	$2\frac{1}{2}$	-----	15	-----	-----
or rice.....	$1\frac{1}{2}$	-----	10	-----	-----
or hominy.....	$1\frac{1}{2}$	-----	10	-----	-----
Potatoes.....	16	-----	100	-----	-----
or potatoes, $12\frac{1}{2}$ ounces, and onions, $3\frac{1}{2}$ ounces.....	16	-----	100	-----	-----
or potatoes, $11\frac{1}{2}$ ounces, and canned tomatoes, $4\frac{1}{2}$ ounces; or $4\frac{1}{2}$ ounces of other fresh vegetables not canned, when they can be obtained in the vicinity of the post or transported in a wholesome condition from a distance.....	16	-----	100	-----	-----
<b>COFFEE AND SUGAR COMPONENTS.</b>					
Coffee, green.....	$1\frac{1}{2}$	-----	10	-----	-----
or roasted coffee.....	$1\frac{1}{2}$	-----	8	-----	-----
or tea, green or black.....	$\frac{1}{2}$	-----	2	-----	-----
Sugar.....	$2\frac{1}{2}$	-----	15	-----	-----
or molasses.....	$\frac{1}{2}$	$\frac{1}{25}$	-----	-----	$2\frac{1}{2}$
or cane syrup.....	$\frac{1}{2}$	$\frac{1}{25}$	-----	-----	$2\frac{1}{2}$
<b>SEASONING COMPONENTS.</b>					
Vinegar.....	-----	$\frac{8}{25}$	-----	-----	1
Salt.....	$\frac{1}{2}$	$\frac{1}{25}$	4	-----	-----
Pepper, black.....	$\frac{1}{2}$	-----	-----	4	-----
<b>SOAP AND CANDLE COMPONENTS.</b>					
Soap.....	$\frac{1}{2}$	-----	4	-----	-----
Candles (when illuminating oil is not furnished by the Quartermaster's Department).....	$\frac{6}{25}$	-----	1	8	-----

In adjusting charges to be made against enlisted men or others on account of increased expense to the Government for their subsistence, the value of the ordinary ration will be estimated at 18 cents; that of the travel ration at 40 cents.

**1254.** When troops at a post raise their own vegetables, or when they are not supplied with fresh vegetables in kind by the commissary, commutation will be allowed at the prices of potatoes and onions in the vicinity of the post or in the market from which the post is supplied, in the proportion of 80 per cent. of potatoes and 20 per cent. of onions, the commutation prices being determined monthly by the Subsistence Department.

**1255.** At posts and stations where illuminating oil is furnished by the quartermaster, candles are not issued as part of the ration except to individuals whom it is not practicable to supply with oil.

## TRAVEL RATION.

**1256.** When troops travel otherwise than by marching, or when for short periods they are separated from cooking facilities and do not carry cooked rations, the following articles will be issued in lieu of all components of the ordinary ration. They constitute the travel ration :

Articles.	Per 100 rations.
Soft bread.....pounds.....	112½
or hard bread.....do.....	100
Beef, canned.....do.....	75
Baked beans, 1 pound cans.....number.....	33
or baked beans, 3-pound cans.....do.....	15
Coffee, roasted.....pounds.....	8
Sugar.....do.....	15

After troops have been subsisted upon the travel ration for four consecutive days, they may be allowed canned tomatoes in addition to the travel ration at the rate of one pound of tomatoes per man per day. When they arrive at their destination or rejoin their station, subsistence upon the ordinary ration will be resumed immediately, and any unconsumed articles in good condition which they may have on hand will not be sold as savings, but will be turned over to the commissary.

## LIQUID COFFEE.

**1257.** When enlisted men supplied with cooked or travel rations travel unaccompanied by an officer, funds for the purchase of liquid coffee in lieu of the coffee and sugar portion of the travel ration, at the rate of 21 cents per day for the anticipated number of days' travel, may, on the order of the commanding officer who directs the journey, be paid to each man, and his receipt therefor taken on a receipt roll, which must be accompanied by a copy of the order. When enlisted men supplied with cooked or travel rations travel under command of an officer, funds at the same rate, for the same purpose, will be transferred to him, to be disbursed and accounted for. At the end of the journey the unexpended balance, if any, will be transferred to the nearest commissary.

## ISSUES OF RATIONS.

**1258.** Issues of rations to troops will be made on ration returns signed by the immediate commanders of the organizations, and the issues ordered by the commanding officer of the post or station. Ration returns will be made, ordinarily, for a few days at a time, for the individuals of the organizations actually present, and for only such quantities as the organizations can receive and properly care for, and will be presented at the place where and time when rations are due. Rations will not be issued for a past period, if troops have been sufficiently subsisted; nor will back rations be purchased as savings.

**1259.** The ration as issued to troops will be issued to the detachment of the hospital corps and to the hospital matrons serving at a hospital, but the meat component to which the sick therein are entitled may, at the discretion of the medical officer in charge, be called for and issued wholly in fresh beef or partly in fresh beef and partly in salt meats.

**1260.** Issues of rations to civilians employed with the Army will be made on ration returns signed by the officers in charge of the employees, when ordered by the commanding officer.

**1261.** Issues of rations will be made in the full net weight or measure of the articles called for. Articles required for consumption will be removed from the storehouse. Those remaining will be settled for as savings, under paragraphs 1269, 1270 and 1271. No articles once removed from the storehouse will be purchased as savings, except on the order of the commanding officer.

**1262.** When one, two, or three enlisted men travel under orders, the travel order of each man will have indorsed on it the certificate of his commanding officer as to the time to which he was last rationed, etc., in the form prescribed by paragraph 1275, and if commutation of rations is allowed, it will be paid in the manner directed by that paragraph. Travel orders retained by soldiers will be turned over to the commissary from whom rations are next to be drawn, who will file them with his abstract of issues, or his receipt roll of commutation paid, as the case may require. When any considerable detachment of enlisted men leaves a post or command, the detachment commander will be furnished by the commissary with a ration certificate giving the number of men and the organizations to which they belong, and setting forth the date to which, and by whom, rations were last issued for them, which ration certificate will be presented to the commissary from whom rations are next drawn, who will file it with his abstract of issues. Employees entitled to rations are, when detached, furnished with ration certificates.

**1263.** When a person entitled to rations leaves an organization or is ordered to travel with travel rations, the rations issued to him for any period beyond the date of his leaving and not taken with him will be deducted on the next ration return of the organization. The name of the person, with a statement of the facts, will be entered on the ration return. The ration return of an organization will include all persons belonging to it who are to draw their rations separately; the names of such persons will be written on the ration return.

**1264.** At a post where a general mess is established, the issues ordered by the post commander to be made to the command for a ration period will be entered on the outer fold of a ration return, and the separate ration returns of the organizations composing the command for the period will be inclosed in this ration return as a wrapper. The entry of such an issue on the abstract of issues will show the several organizations for which the issue was ordered, giving the strength of each, as well as the detailed information as to additions and deductions contained in the separate ration returns.

## OTHER ISSUES OF SUBSISTENCE STORES.

**1265.** The following issues are made when necessary for the public service :

Articles.	Allowance.	
	Quantity in bulk.	Equivalent in rations.
1. Candles, when oil for illuminating purposes is not furnished by the Quartermaster's Department:		
To headquarters of a department, per month.....	30 pounds ..	2,000
To headquarters in the field—		
Of each separate army, when composed of more than one corps, per month.....	40 pounds ..	2,667
Of an army corps, per month.....	30 pounds ..	2,000
Of a division, per month.....	20 pounds ..	1,333
Of a brigade or regiment, per month.....	10 pounds ..	667
Of a battalion serving separately from regimental headquarters, per month.....	10 pounds ..	667
To offices and storerooms—		
Of the chief quartermaster or chief commissary of a department, or depot of supply, from April 1 to September 30, per month.....	10 pounds ..	667
Of the quartermaster or commissary of a post, from April 1 to September 30, per month.....	5 pounds ..	333
From October 1 to March 31, not exceeding double the above quantities.		
To guards—		
To the principal guard of each camp, per month.....	12 pounds ..	800
2. Lantern candles:		
To stables—		
Such number of pounds as the commanding officer may order as necessary.		
3. Salt:		
For public animals—		
For each animal, per week.....	2 ounces....	3
Or, when in the opinion of the commanding officer so much is necessary, not exceeding, per month.....	12 ounces....	19
4. Vinegar:		
For every 100 public horses or mules, for sanitary purposes—		
Such amount as the commanding officer may order as necessary, not exceeding, per week.....	2 gallons ...	200
5. Flour:		
For paste used in target practice—		
Such quantity as the commanding officer may order as necessary, not to exceed 50 pounds for each troop, battery, or company during the target-practice season.		
6. Matches:		
For lighting fires and lamps for which fuel and illuminating supplies are issued—		
Such quantities as the commanding officer may order as necessary.		

The issues are made on ration returns signed by the officer in charge and issues ordered by the commanding officer, the latter determining what quantities within the limits above prescribed shall be issued. Candles, salt, vinegar and flour for the above purposes are entered on the ration returns and on the abstract of issues in terms of rations, lantern candles in pounds, and matches in boxes. The returns and abstract show for what places the candles are intended, and the number of animals and period for which salt and vinegar are drawn, giving the troop, battery, etc., to which they belong.

**1266.** Small quantities of food (articles of the ration) may, on the order of the commanding officer, be issued to Indians visiting a military post. The order will state the number of Indians and their tribe, number of days for which the issues are made, quantities, and necessity for the issues. Indians will not be continuously subsisted in this manner except by authority of the Secretary of War. A copy of the order directing the issue will accompany the abstract of issues.

**1267.** Subsistence will not be issued to destitute persons except when the commanding officer assumes the responsibility of ordering the issue to relieve starvation or extreme suffering. In such cases the circumstances will be fully stated in the order.

**1268.** The commanding officer will certify to the accuracy of the abstract of issues upon comparison with the ration returns, which will be retained by him. The abstract of issues so certified and accompanied by copies of orders or authorities contemplated by paragraph 695 is the commissary's voucher for the issues.

## SAVINGS.

**1269.** Articles of the ration (excluding fresh vegetables, bread and baking powder) due a bakery, a company, or any organization, not needed for consumption, will be retained by the commissary if required for reissue, and will be purchased as savings at the invoice prices. Savings and sales of fresh beef (except of that issued for the sick in hospital, the detachment of the hospital corps and the hospital matron serving therein) are prohibited; baking powder issued but not used will be returned to the commissary. The commissary will purchase the savings of hospitals (including fresh beef) at cost prices when the surgeon in charge so desires, but will not purchase savings of companies, bakeries, or any organization when public loss would result. When not required for reissue, savings may be sold to any person.

**1270.** Savings purchased by the commissary will be entered on a receipt roll, in duplicate, in the name of the organization to which they belong, and the money value receipted for by the officer in charge thereof. Payments for hospital savings will be made to the surgeon of the post or station.

**1271.** If savings are not paid for by the commissary in the month in which accumulated, the proper organization will be furnished with an extract, in duplicate, of the receipt roll, showing stores received from it and the amount due, which, duly certified by the commissary and approved by the commanding officer, will be presented for payment to any commissary having funds for the purpose.

## COMMUTATION.

**1272.** Commutation of rations may be allowed at the following rates, under the conditions mentioned, viz:

Conditions.	Rate per day each.
1. To a soldier at the conclusion of his furlough, provided that on or before the last day thereof he has reported at his proper station or has been discharged.....	\$0.25
2. To sergeants of the post noncommissioned staff (and soldiers acting as such) on duty at forts and stations where there are no other troops.....	.40
3. To a soldier on detached duty, stationed in a city or town where subsistence is not furnished by the Government.....	.75
4. To a soldier traveling under orders from a place or station at which his rations have been regularly commuted.....	1.50
5. To enlisted men traveling under orders (when the journey can not be performed in twenty-four hours and it is impracticable to carry rations of any kind), as follows:	
To an enlisted man traveling alone.....	1.50
To two enlisted men traveling as a detachment or traveling as a guard to an insane patient or military prisoner, each.....	1.50
To an insane patient or military prisoner traveling under guard of one or two enlisted men, to be paid, on the order of the commanding officer, in advance to, and to be receipted for by, the person to whose charge the patient or military prisoner is committed by the order.....	1.50

**1273.** Commutation of rations will not be allowed to enlisted men serving where subsistence is furnished by the Government; or traveling under orders when they can carry and cook their rations, or can carry cooked or travel rations; or traveling under orders by steamboat or steamship where the passage rates include meals; or failing to report at their proper stations on or before the last day of furlough unless discharged; or recruiting parties at their stations; nor to civil employees.

**1274.** An order directing the travel of an enlisted man will state that the journey is necessary for the public service. If it be impracticable for him to carry rations of any kind, the order will so state and will direct commutation of rations to be paid; if required to be paid in advance, the number of days will be stated.

**1275.** Commutation of rations allowed to an enlisted man while traveling, when not directed to be paid in advance, will be paid to him at the end of his journey, upon presentation of the order for the journey with the certificate of his commanding officer thereon in the following form: "Last rationed to include —, 18—; will leave station at —, —, 18—; the rations overdrawn will be deducted from the ration return of company —, — Regiment of —, for the period from —, 18—, to —, 18—," and a certificate signed by a commissioned officer in the following form: "Joined station at —, —, 18—." The period allowed by the paying officer will be the time required over the shortest usually traveled route. If ordered paid in advance, it will be paid upon presentation of a certified copy of the order directing the payment, having thereon the certificate in the above form of his commanding officer. In this case the paying officer will indorse the date, mode, and amount of payment, over his signature, on the order which is retained by the soldier, and certify on the copy that he has made such indorsement. The soldier will deliver his retained order to the commissary at the station where rations are next drawn, who files it with his abstract of issues. The order, or copy thereof, on which commutation has been paid will be filed as a sub-voucher to the receipt roll, and the paying officer will indorse on the order, or copy thereof, the date, mode and amount of payment.

**1276.** The furlough of an enlisted man will show, by memorandum of his company commander, to what day he was last rationed and the number of rations, if any, drawn for him previous to his going on furlough, for the time covered by the furlough, and the certificate of his company commander on the back of the furlough will show the date on which he rejoined his proper station or was discharged and that the rations overdrawn for him were duly deducted from a ration return of his company. If entitled to commutation he will be paid by any commissary upon the presentation of the furlough containing the above memorandum and certificate. The paying officer will file the furlough as a sub-voucher to his receipt roll, and indorse on the furlough the date, mode, and amount of payment.

**1277.** When an officer orders commutation of rations to be paid, or rations to be issued, to a soldier on furlough to enable him to reach his proper station, the paying or issuing officer will report the full amount paid, or the money value of the issue, to the soldier's company commander. Should the soldier reach his station on or before the last day of his furlough, the company commander will charge the full amount of the payment or issue against his pay on the next muster and pay roll. Should he reach his post after the

expiration of his furlough, and the delay be not excused, the full amount will be similarly charged. Should the overstay of his furlough be excused, the full amount, diminished by the value of the ration, at 18 cents per day, for the number of days during which he was absent after the furlough had expired, will be charged.

**1278.** When a furlough is lost, a certified copy prepared by his company commander, with the soldier's affidavit stating when, where, and the circumstances under which the loss occurred, that he reported at his station on or before the last day of his furlough or was discharged, and that no rations have been furnished nor commutation paid him for any portion of the time during which he was on furlough, may be presented within six months after the loss, through his company and post commanders, to the chief commissary for payment or other disposition.

**1279.** Enlisted men having claims for commutation of rations and who are at a distance from a paying commissary will be paid upon forwarding to the paying commissary their travel orders or furloughs, properly made out, accompanied by receipts, in duplicate. Enlisted men on detached duty entitled to commutation of rations may be similarly paid upon the certificate of the officer under whom they serve, setting forth the period for which commutation is due, accompanied by a copy of the authority for its allowance, or by a reference to such authority if previously furnished.

#### SALES.

**1280.** Subsistence stores (except forage for beef cattle) will be sold for cash to an officer of the Army, or to a contract or veterinary surgeon, at cost price, on his certificate that they are for his personal or family use, or for the use of an officers' mess of which he is the caterer. They will also be sold during the absence of an officer to a member of his family authorized by him to purchase in his name, upon a written request by him to the commissary.

**1281.** Sales to officers paid for within the calendar month in which made will be regarded as cash sales; if not paid for within that month, they will be reported as credit sales and so accounted for, and the amounts due collected through the Pay Department.

**1282.** Sales of reasonable quantities of stores will be made to an enlisted man, for cash, upon his declaration, in writing, that they are intended for his own use. A company, detachment, hospital, post bakery, or post exchange may purchase for cash under similar conditions, and upon the certificate of the officer in charge.

**1283.** Exceptional articles of subsistence stores called for by officers and enlisted men, to be paid for by them regardless of condition upon arrival at posts, may, under such instructions as to purchase and accountability as may from time to time be given by the Commissary-General, be purchased and turned over to the Quartermaster's Department for transportation to the posts where desired.

**1284.** To a civilian employed with the Army at a remote place, where food can not otherwise be procured, stores will be sold for cash, in limited quantities, for his own use, at invoice or contract prices with 10 per cent. added.



**1285.** Sales may be made on credit to officers and enlisted men who have not been regularly paid, or who are in the field. Officers will certify that the stores are for their own use, and receipt for them. Enlisted men will obtain permits from their company commanders, approved by the commanding officer, for purchases on credit. Permits will not be given to a soldier in excess of the unencumbered pay due him, nor in any month in excess of his monthly pay. A recruit may be furnished on credit with such of the following articles as may be needed by him, viz: A hand basin, a piece of soap, a tooth brush, two towels, a comb, a hair brush, a shoe brush and a box of shoe-blackening.

**1286.** Articles purchased by the Subsistence Department by net weight will be sold at net weight at the time of sale. Where the weight of a wrapper or cover at the time of purchase was included in the weight of an article, it will be included in the weight when the article is sold. Articles in cartons, packets, or sealed cans will be sold as purchased.

**1287.** Post commanders will regulate sales and delivery of supplies. Selling (except by the exchange) or bartering of supplies purchased from the commissary is forbidden.

**1288.** The commissary who sells to an officer on credit will furnish him with a certified bill in detail, which will be noted by the officer on his next pay account, as follows: "Deduct — dollars and — cents due the Subsistence Department for stores purchased on credit from Lieut. —, Commissary, Fort —, in the month of —, 18—." If there are several bills, they will be entered separately.

**1289.** The commissary who sells to enlisted men on credit will make a statement of dues, in triplicate, for each company or organization to which the men belong; one copy will be furnished to the company or other commander, who will charge the dues on the next pay roll, and on subsequent rolls, until collected. If a recruit leaves his station or rendezvous before the money value of the toilet articles furnished him on credit has been collected, the amount due will be noted on the descriptive and assignment card, in order that the paymaster may withhold it at the first payment after the recruit has joined his company.

**1290.** Amounts due from credit sales will be collected by paymasters, taken up by them and promptly transferred to a disbursing commissary, the paymaster giving duplicate invoices and taking receipts on each pay account or pay roll.

**1291.** Sales will be consolidated monthly on an abstract in duplicate. The commanding officer will satisfy himself that the purchases have been properly authorized and duly made, and will so certify on the abstract. The copy of the abstract accompanying the commissary's account current will serve as a voucher to the account current, as well as to the officer's return.

**1292.** On the first day of each calendar month a list will be prepared at each post showing the prices at which stores will be sold during the month. The price for each article will be the invoice price of the last lot of that article received prior to the day on which the price list is prepared.

#### BLANK FORMS.

**1293.** Blank forms will be furnished to commissaries on periodical requisitions sent direct to the Commissary-General. Officers at posts will obtain them from the commissaries.

## ACCOUNTS AND RETURNS.

**1294.** The following accounts and returns, prepared in accordance with the directions printed on the blanks, are required :

1. Account current, prepared and forwarded by each officer accountable for subsistence funds, within ten days after the close of each month, accompanied by vouchers.

2. Return of subsistence stores, by each officer accountable, forwarded at the same time as the account current, accompanied by vouchers, etc.

3. Return of subsistence property, rendered quarterly, within ten days after the close of the months of March, June, September, and December, by each officer accountable, accompanied by abstracts, vouchers, etc.

## ARTICLE LXXX.

## PAY DEPARTMENT.

NOTE.—Regulations for the government of the Pay Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Paymaster-General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

## GENERAL PROVISIONS.

**1295.** The Pay Department, under the direction of the Secretary of War, has charge of the supply and distribution of and accounting for funds for the payment of the Army, and such other financial duties as are specially assigned to it.

**1296.** The chief paymaster of a department, under the direction of its commander, will have control of all paymasters stationed therein, and be responsible for the payment of the troops of the command.

**1297.** Military commanders in directing payments will not require the paymaster to be absent from his station on the last day of the month, except for special reasons, which will be reported to the Adjutant-General of the Army.

## PAYMENTS TO OFFICERS.

**1298.** Officers will be paid monthly, on duplicate accounts, certified by themselves, according to prescribed forms.

**1299.** When an officer is absent from his station, a paymaster will, before paying him, require proof of authority for such absence.

**1300.** An officer will not hypothecate nor transfer a pay account not actually due. When due it may be transferred by indorsement, naming the party to whom transferred, and may be paid by the proper paymaster if satisfied of the genuineness of the officer's signature and if no stoppage or other disability as to pay prevents. The date of transfer, certified by the officer whose account it is, will appear in the indorsement. When an officer transfers a pay account, he will, at the time of transfer, communicate the fact to the chief paymaster of the department, through the paymaster who is expected to pay it. If the officer be on leave, or if his accounts be payable in Washington, the notification of transfer will be made to the Paymaster-General.

**1301.** The following officers, in addition to those whose pay is fixed by law, are entitled to pay as mounted officers: Officers of the staff corps below the rank of major, officers serving with troops of cavalry, officers of a light battery duly organized and equipped, authorized aids duly appointed, officers serving with companies of mounted infantry, and officers on duty which in the opinion of the department commander requires them to be mounted and so certified by the latter on their pay vouchers. Acting judge-advocates of military departments, duly detailed, are entitled, while so serving, to the rank, pay and allowances of captains of cavalry.

**1302.** Department commanders will announce, in orders, the authority obtained from the Secretary of War for mounting companies of infantry, giving the date from which such mounted service commences, and termination of the same.

**1303.** Muster rolls and returns of light batteries and companies of mounted infantry will show the number, date and source of order authorizing mounted service. The pay accounts of officers charging mounted pay will contain the same information. A copy of the order will be attached to the first muster rolls prepared after the battery or company has been equipped or mounted; a copy of the order discontinuing such service will appear on the first muster rolls prepared after its discontinuance.

**1304.** An acting commissary will be paid the additional pay allowed by law, on the certificate of the Commissary-General that he has performed the duty contemplated therein during the time charged. To entitle him to this pay he must be detailed under proper orders from some established post or body of troops, and must issue full rations to troops from stores for which he is responsible.

**1305.** No officer shall receive pay for two staff appointments for the same time. This prohibition does not prevent a quartermaster of a regiment who, in addition to the duties of his office, may be acting commissary, from receiving the extra compensation allowed by law for performing the duties of the latter.

**1306.** A person appointed to the Army, or receiving an appointment to a new office therein, is entitled to pay from date of acceptance only. In all cases of promotion an officer is entitled to pay from date of vacancy.

**1307.** An officer leaving the service will, before receiving final payment, produce certificates as to his indebtedness to the United States, and will make oath upon the final voucher to the correctness of the several items contained therein, stating the place of his residence, and that he is not indebted to the United States on any account whatever, except as shown by said certificates.

**1308.** An officer who tenders his resignation while on duty will receive pay to include the date on which he receives notice of acceptance, if he continue on duty until that time; or if sooner relieved from duty, to include the date of relief. An officer whose resignation takes effect while on leave will be paid to include date of acceptance.

**1309.** An officer placed upon the retired list will receive active pay to include the date of retirement. If on duty, he will receive such pay to include the date of relief from duty.

**1310.** An officer dismissed by sentence of court-martial will be paid to the date of termination of service, as specified in the order promulgating the sentence.

**1311.** In computing longevity pay, service performed as cadets at the Military or Naval Academy, or as enlisted men of the Army or Navy, will be counted.

**1312.** In payments to officers and enlisted men, the days of commencement and expiration of service will be included. When service begins on the 31st day of a month, pay will not be allowed for that day.

**1313.** An officer of the Army appointed to a grade in the volunteers or militia in the service of the United States superior to that held by him in the Army will be entitled to the pay and emoluments of the grade to which appointed, after muster therein.

#### PAY DURING ABSENCE.

**1314.** Officers and enlisted men in arrest and confinement by the civil authorities will receive no pay for the time of such absence; if released without trial, or after trial and acquittal, their right to pay for the time of such absence is restored.

**1315.** To entitle him to full pay during absence on account of sickness or wounds, an officer must exhibit to the paymaster an order from competent authority granting or extending his sick leave. During the time necessarily consumed in making the journey to his post, an officer joining from sick leave is entitled to full pay as if on duty.

**1316.** The pay accounts of an officer on leave during his absence will exhibit the date of commencement of leave, authority therefor, and, in case the account is for the month in which the absence terminates, date of return to duty. In all cases the day of departure, or relief from duty, will be counted as a day of duty and the day of return as one of leave.

**1317.** In determining the period for which an officer is entitled to full pay on leave, time within four successive leave years, terminating with the one in which absence is taken, will be considered. If the absence does not cover the entire period for which full pay is allowed, the balance thereof will be placed to the officer's credit as belonging to the last year or years of the four considered, and may be made available for future leave.

**1318.** The leave year is reckoned from June 20 to the following June 19, both inclusive. In computing leave of absence expressed in days during any leave year, every day of such absence will be counted; leave expressed in months will be counted in months.

**1319.** When an officer on leave claims full pay for any part of his absence, the paymaster will ascertain the time for which he is entitled to the same from the monthly list of absentees issued from the Adjutant-General's Office; or, if that does not afford the information, from the officer's statement on his account of his absence on leave during each leave year.

**1320.** An officer ordered to temporary duty while on leave will be regarded as on duty from the day on which he receives the order. When the duty is to be performed at a future date, he will be on duty from the date on which he starts to obey the order. The date of the receipt of the order in

the first case, and the date of departure in the second, will be promptly reported to the Adjutant-General of the Army. When relieved from such duty, or on the completion thereof, he reverts to the status of leave and will be credited with the time on duty under such order.

## TRAVEL ALLOWANCES.

**1321.** When an officer travels without troops under orders, he is entitled to the following allowances:

1. To mileage at the rate of 4 cents per mile for the distance between the points named in the order, such distance to be computed over the shortest usually traveled route.

2. To reimbursement of the cost of transportation actually paid by him over the route above specified, exclusive of sleeping and parlor car fares and charges for baggage and transfers. Officers will not be reimbursed for cost of transportation over free or bond aided roads, but transportation in kind over such will be furnished by the Quartermaster's Department.

**1322.** Travel allowances will be paid by the chief paymaster of the department in which the journey is completed.

**1323.** To entitle an officer to travel allowances the travel must be specifically ordered previous to its commencement, or covered by certificate that the urgency of the duty was such as to prevent his obtaining previous orders, and accompanied by evidence of approval by proper authority. Such order will state the special duty enjoined, recite that the travel therein directed is necessary for the public service, and direct the officer to return to his station upon completion of assigned duty, if such return is contemplated. An order for travel, part of which is to be made with troops, should direct the Quartermaster's Department to furnish transportation for so much of the journey as is to be performed with troops.

**1324.** Orders will not prescribe lines of travel, except when necessary, and then the reasons will be set forth in the order.

**1325.** The original order, or certified copy, including indorsements, will accompany each voucher for travel allowances.

**1326.** Mileage will be computed in accordance with the lists of distances compiled by the Paymaster-General, whatever the route traveled. Exception to this rule will be made only when the terms of the order, or the impracticability of the shortest usually traveled route, compel the officer to take another, or when the journey is performed by a route shorter than that usually traveled. In such cases travel allowances will be computed over the actually traveled route.

**1327.** When an officer on leave of absence is ordered to rejoin his station, he will not be entitled to travel allowances unless the public service requires the performance of duty en route, in which case the order will specify the duty, the necessity therefor, and the points at which the duty will begin and end.

**1328.** When an officer is ordered, while on leave of absence, to accompany a detachment of recruits to the vicinity in which his regiment is serving, and on the completion of this duty to join his company, he returns to a status of leave as soon as relieved from duty with the recruits, and will proceed to join his company without expense to the Government, unless the distance he may have to travel without troops should be in excess of what it would have been had he not received the order.

**1329.** An officer on leave of absence ordered to temporary duty involving travel without troops will receive travel allowances from place of receipt of order to place of performance of duty and return.

**1330.** When the station of an officer, serving either with or without troops, is changed while he is on leave of absence, he will, on joining his new station, be entitled to travel allowances from the place of receipt of the order to the new station, provided the journey is made without troops and the distance is not greater than that from the old to the new station; but if the distance be greater he will be entitled to travel allowances for a distance equal to that from the old to the new station only. Should it be necessary for such officer to return to his old station before proceeding to the new, authority for such return may be given by the officer who issued the order for the change of station. In such case the order for change of station will carry mileage only from the old to the new station.

**1331.** An officer under orders to change station, who takes advantage of a leave of absence before he joins his new station, is not deprived of the travel allowances to which he would be entitled had he not availed himself of the leave. The leave of absence merely suspends the execution of the order for change of station, and at the expiration of the leave the officer comes under the operation of the order, and in obeying it is entitled to full pay for the time necessary to perform the journey from his old to his new station.

**1332.** An officer relieved from duty at a station and granted leave of absence before assignment to another, who receives an order of assignment before expiration of leave, is entitled to travel allowances from the place where he receives the order to his new station.

**1333.** An officer traveling on duty in connection with public works (not arsenals, military surveys, or explorations) will receive travel allowances from the appropriation for the work, but if there be no appropriation he will receive travel allowances from the Pay Department.

**1334.** In the following cases no expense of travel is allowed: In joining for duty upon first appointment to the military service, or under the first order after a reinstatement or reappointment, or under an order to effect a transfer from one company or regiment to another, made at the request of the officers transferred. Assistant surgeons, graduates of the Military Academy, and officers appointed from the ranks, joining under first order after appointment or commission, are excepted from these provisions.

**1335.** Allowances for travel of officers summoned before committees of Congress are not proper charges upon the appropriations for the support of the Army.

#### COMMUTATION OF QUARTERS.

**1336.** An officer on duty without troops at a station where there are no public quarters, or where the public quarters are inadequate, is entitled to commutation therefor at established rates.

**1337.** An officer on duty at a station where he is properly in receipt of commutation of quarters is entitled to the allowance during ordinary leave on full pay, but not during sick leave. If he is relieved from duty at the station and then granted a leave his commutation ceases.

**1338.** An officer does not lose his right to quarters or commutation at his permanent station by a temporary absence on duty. While he continues to hold that right and exercises it by constructive occupation or use of any kind, he can not legally demand quarters nor commutation at any other station. Exceptions to this rule can be made only by the Secretary of War.

**1339.** When the command to which an officer belongs changes station during his temporary absence on duty he loses his right to quarters from the time his command leaves its old station and does not acquire a right at the new station until he has reported for duty thereat. He is entitled in the meantime to quarters or commutation therefor at the station where he is temporarily serving.

**1340.** An officer relieved from duty at one station, where he was entitled to commutation of quarters, and assigned to another, is not entitled to such allowance from the date of relief to the date on which he reports in person at the new station.

**1341.** Officers who, for the convenience of the Government, are directed to await orders for a limited period at a point where there are no public quarters, are entitled to commutation; but an officer ordered to his home to await orders is not entitled to this allowance. An officer ordered to report by letter to a superior does not become entitled to commutation of quarters until he receives a specific order of assignment and reports in person at the station to which assigned.

**1342.** The first voucher for commutation of quarters at any station must be accompanied by a copy of the order assigning the officer to duty thereat. In subsequent vouchers the paymaster will refer by number, etc., to the voucher with which the order is filed, and the final voucher must be accompanied by the authority for, and must show the date of relief from, such duty.

#### STOPPAGES.

**1343.** When an officer has been overpaid, or is indebted to the United States for money or property, or has failed properly to account for the same, the chief of the bureau concerned will promptly notify him of the amount of his indebtedness, or his failure to account. If after such notice he does not refund, or make satisfactory explanation, or take proper action within a reasonable time, the matter will be reported to the Secretary of War.

**1344.** On the order of the Secretary of War, stoppages may be made against the pay of officers for overpayments, illegal disbursement, or loss through fraud or neglect of the public funds, and for deficiencies in, loss of, or damage to, military supplies, unless proof be furnished that the deficiency, loss or damage was not occasioned by any fault on their part.

**1345.** The notice of stoppage of officers' pay will be prepared in the form of a monthly circular to paymasters, advising them of stoppages outstanding at its date. This circular will be submitted to the Secretary of War for his approval prior to its publication. When an officer's name is borne thereon, no payment of salary will be made to him which is not in accordance with the stoppage entry made against his name.

**1346.** Overpayments to an officer will be deducted on the first payment after a notice of stoppage against him is received, even if the pay accounts have been assigned.

## PAYMENT OF CADETS.

**1347.** Payment on muster and pay rolls and final accounts will be made to the cadets at the Military Academy by a paymaster, who will turn over the net amount of the rolls and accounts to the Treasurer of the Academy.

## PAYMENT OF ENLISTED MEN.

**1348.** Troops will be paid every month unless circumstances prevent, in which case the paymaster charged with the payment will immediately report the facts through his chief paymaster to the Paymaster-General.

**1349.** Payments will be made as soon after the close of each month as practicable:

1. By paymasters in person; or
2. By check or currency shipped by express.

The troops at posts where paymasters are stationed and others in their immediate vicinity, to be designated in instructions issued from the Adjutant-General's Office, will be paid by paymasters in person.

For posts at which payments are not required to be made in person, the paymaster will transmit the pay due in one or more of the following ways:

1. By individual check, payable to the order of each man for the exact amount due.
2. By inclosing in a separate sealed envelope the exact amount in currency due each soldier, with his name and the amount inclosed marked thereon.

**1350.** Duplicate muster and pay rolls will be duly signed by the men, and forwarded by the commanding officer by mail to the paymaster who has been designated by the department commander to pay the command.

**1351.** When forwarding the rolls the post commander will furnish the paymaster with the name, rank, etc., of the officer designated to see that the men of the command are paid, and at the same time will state what part of the pay can conveniently be received by the men in individual checks and cashed at or near the post without discount, designating the location of depository on which it is desired that the checks should be drawn. The remainder of the pay will be sent in envelopes.

**1352.** The paymaster will, as far as practicable, draw the checks on the depository designated, the checks and money for each organization will be inclosed in separate packages properly marked, and the whole will be consolidated into one package and forwarded by express to the post commander. One of each of the company or detachment rolls extended to show the amounts to be paid will be returned to the commanding officer and by him sent to the proper company commanders.

**1353.** At places beyond express delivery, the post commander, when notified by the paymaster that funds are to be expected, will send an officer with a suitable escort to receipt for the express package and convey the funds to the post. The name of the officer authorized to receipt for the package will previously have been reported to the paymaster.

**1354.** When the package is received at the post, it will be delivered to the officer who has been designated by the commanding officer to distribute the pay. As soon as possible the individual checks or the currency will be handed to the men by the officer designated, and when the payment is in



currency from envelopes, a second officer, who may be the company commander, will be required to verify the amounts in the envelopes, so that, in case of error, certificates may be prepared at once by both officers. Should there be a deficiency it will be so certified on the roll by the paying and the verifying officers, and should there be an excess the surplus will be returned to the paymaster. In each case a statement of the facts, with appropriate certificates, will be sent to the paymaster by the post commander.

**1355.** Should any error or informality be discovered in a check, it will be returned to the paymaster for correction; and the roll may be held, or returned with a note as to the nonpayment, at the discretion of the post commander.

**1356.** Should the bank or person who cashes the individual check so desire, the company commander will certify to the correctness of the indorsements made by his men upon their respective checks.

**1357.** Each company commander will witness the payment of the company and so certify on the roll, which he will then transmit to the paymaster. When the paymaster has received this witnessed roll he will send the duplicate to be witnessed and returned. Should it be impracticable, owing to his absence or incapacity, to secure the signature of the witnessing officer to the second roll, any commissioned officer may make upon it an official copy of the witnessing officer's certificate and signature as evidenced by the retained roll.

**1358.** Should a soldier die or desert in the interval between signing the roll and the actual payment, the check or the cash received for him will be treated as the effects of a deceased soldier or of a deserter. Should he be temporarily absent or in confinement, it will be retained by the company commander until return or release of the soldier.

**1359.** Should a soldier decline to receive his pay, or if, for any other reason than those mentioned it should be impracticable to deliver it to him, the money or check will be returned by express or registered mail to the paymaster, the man's signature on the roll canceled, and a note of explanation verified by the signature of the witnessing officer made upon the roll.

**1360.** Deposits may be made in the usual manner, the amount to be deposited being reported to the paymaster by letter forwarded with the rolls, the soldier's deposit book being also forwarded therewith. Should a man desire to deposit a sum greater than his pay, his company commander will see that a proper check, postal order, or express order accompanies his deposit book; if neither check nor order can be obtained, the company commander will send the money by registered mail at public expense, verifying the amount and reporting it in a separate communication to the paymaster. Deposit books will be returned by the paymaster to the company commander properly filled in for attestation.

**1361.** Troops in the field will be paid by currency in envelopes, unless the department commander directs personal payment by the paymaster.

**1362.** In time of war, troops in active campaign will be paid by paymasters in person; troops in garrison may be paid by the paymaster or by checks or currency in envelopes; troops in campaign by either of these methods, as the army or department commander may direct.

**1363.** Payments to enlisted men will be made on muster and pay rolls, with the following exceptions: Enlisted men retired, and men of the post

noncommissioned staff, or acting as such, and sergeants of the Signal Corps on duty where there are no other troops. These will be paid on their descriptive lists by the chief paymaster of the department, or a paymaster designated by him; if not under the orders of the department commander, they will be paid by a paymaster designated by the Paymaster-General. Payments to discharged soldiers will be made by any paymaster under the provisions of paragraphs 1382 to 1388.

**1364.** An officer in command of a company or detachment or in charge of a hospital will attend at the pay table, witness the payment of his men, and certify at the foot of the muster and pay roll that he witnessed the payment. All enlisted men present will receipt the pay roll for the amount due them thereon. When a soldier can not write, he will receipt by his mark, which will be witnessed by a commissioned officer.

#### RE-ENLISTMENT AND CONTINUOUS SERVICE PAY.

**1365.** Re-enlistment pay, under section 1282, Revised Statutes, and act of August 1, 1894, will be allowed to all enlisted men at the rate of pay provided for the fifth year of continuous service. One dollar per month of this pay, however, will be retained until the soldier's discharge from such re-enlistment, subject to forfeiture unless he serves honestly and faithfully to that date. This re-enlistment pay having been once earned by five years' continuous service, will be paid to the soldier during all subsequent service, whatever period of time may intervene between enlistment and prior discharge, subject to the same conditions in regard to retention and forfeiture.

**1366.** Continuous service pay at the rate of \$2.00 per month will be paid to all enlisted men who have served continuously for a longer period than five years, and for each successive period of five years, so long as they shall remain continuously in the Army, an additional monthly allowance of \$1.00. A re-enlistment after a period exceeding three months from date of discharge does not entitle the soldier to continuous service pay. One or more terms of service rendered prior to August 4, 1854, will be counted as five years' continuous service.

**1367.** The re-enlistment pay of an enlisted man not entitled to continuous service allowances, will be indicated on the muster and pay rolls as "entitled to re-enlisted pay." If entitled to both re-enlistment and continuous service pay, then as "\$2.00 per month for five years' continuous service;" "\$3.00 per month for ten years' continuous service;" "\$4.00 per month for fifteen years' continuous service," etc.

#### FORFEITURES AND DEDUCTIONS.

**1368.** The paymaster will deduct from the pay of all soldiers, 12½ cents per month for the support of the Soldiers' Home, the same to be deducted bimonthly on the February, April, etc., rolls. At the time of payment he will also deduct the authorized stoppages entered on the muster rolls, descriptive lists, or final statements.

**1369.** Retained pay will be forfeited for the following causes:

1. Desertion.

2. When the soldier is in confinement under a general court-martial sentence expressly imposing imprisonment until or beyond the expiration of his term; when discharged under sentence of general court-martial; when discharged by order from the War Department specifying forfeiture, or because of imprisonment by the civil authority.

3. When the soldier is discharged for minority concealed at enlistment, or for other cause involving fraud in enlistment, or for disability caused by his misconduct.

4. Upon the approved finding of a board of officers called under paragraph 148, that the soldier has not served honestly and faithfully to the date of discharge.

The cause of forfeiture will be stated on the muster and pay rolls and on the final statements of the soldier.

#### CERTIFICATE OF MERIT.

**1370.** A certificate of merit granted to an enlisted man for distinguished service entitles him, from the date of such service, to additional pay at the rate of \$2.00 per month while in the Army, although such service may not be continuous.

#### DEPOSITS.

**1371.** Any enlisted man, not retired, may deposit his savings with any paymaster in sums not less than \$5.00, the same to remain so deposited until final payment on discharge. The paymaster will furnish the depositor with a book, in which each deposit, with name of depositor, date, place, and amount, in words and figures, will be entered in the form of a certificate, signed by the paymaster and company commander. The company commander will keep in the company record book an account of every deposit made by the soldier; and after each regular payment he, and all officers having charge of detachments of enlisted men at date of deposit, will transmit, direct to the Paymaster-General, a list of names of depositors, showing in each case the date, place, and amount of deposit, and name of paymaster receiving the same. These lists, before transmittal, will be examined and compared with the record of deposits on the company or detachment book and the deposit book of the soldier. Should a soldier who has made a deposit be transferred or desert, the fact will be promptly reported direct to the Paymaster-General by the officer in command of the company or detachment to which he belonged. In case of transfer, his descriptive list will be made to exhibit the date and amount of each deposit.

**1372.** On the discharge of a soldier, the date and amount, in words and figures, of each of his deposits will be entered upon his final statements, and his deposit book will be taken up by the paymaster who pays him, and filed with the voucher of payment. In case deposits are forfeited by desertion, the amounts of the same will be entered on the final statements under the head "Remarks," and the facts and authority for such forfeiture given.

**1373.** Before delivering final statements upon which deposits are credited, the officer signing them will ascertain whether the soldier has the deposit book; and, if so, instruct him to present it to the paymaster. Should he claim to have lost it, the officer will cause his affidavit to that effect to be taken and attached to the statements. The affidavit will clearly state the circumstances attending loss of the book, and show that the soldier has not sold or assigned it. Upon this evidence the paymaster may pay, and the responsibility for the correctness of amounts credited on the statements will rest with the officer certifying them.

**1374.** Paymasters will not pay deposits except on final statements. When they are not paid, the soldier should forward his deposit book or the evidence referred to in the preceding paragraph to the Paymaster-General. Enlisted men should be informed of the importance of preserving deposit books as the only certain means of insuring prompt repayment.

**1375.** A soldier must draw his deposit when he is discharged. He can then renew it after re-enlistment, and will be entitled to interest from date of such renewal. Failure to present the final statements for payment leaves the money without interest until drawn and again deposited.

**1376.** For any sum of not less than five dollars deposited for the period of six months or longer, the soldier, when discharged, will be paid interest at the rate of 4 per cent. per annum to date of discharge.

**1377.** On the death of a soldier, each deposit, with amount, date, place, and paymaster with whom deposited, will be noted in the inventory of his effects, and on the accompanying final statements with which his deposit book will be filed.

**1378.** Both deposits and interest will be forfeited by desertion, but are exempt from forfeiture by sentence of court-martial and from liability for the soldier's debts.

**1379.** The retained pay of enlisted men will be treated as deposits, to the extent that it draws interest from the end of the year of the enlistment in which retained. It is subject to forfeiture for any of the causes set forth in paragraph 1369, and is carried to the credit of the soldier on his final statements, subject to deduction for debts due the United States at the date of discharge.

#### PAY OF DESERTERS.

(See Art. XIX.)

**1380.** An enlisted man charged with desertion will not receive pay until his offense has been investigated by a court-martial or he has been restored to duty without trial.

**1381.** Every deserter forfeits all pay and allowances due at the date of desertion. Stoppages and forfeitures then due will be deducted from his arrears of pay, and, if not so satisfied, from pay due after apprehension. The company commander will note upon the first muster roll after apprehension all data necessary to a complete settlement of the soldier's account from the date of last payment, and will carry the account to subsequent rolls until the settlement is made. No settlement of the pay account of any enlisted man will be made on the rolls until sufficient pay shall have accrued to satisfy all dues to the United States and pay a balance to the soldier. The required data will include date of last payment, desertion, and apprehension, credits at date of desertion on account of clothing, unsatisfied forfeitures under prior sentences, and dues to the United States at date of desertion on account of clothing, subsistence, ordnance, etc. If, while absent in desertion, he illegally enlisted in another organization, the date of last payment in such enlistment and all stoppage due the United States at date of surrender or apprehension will be stated.

## PAYMENT OF DISCHARGED SOLDIERS.

(See Art. XXI.)

**1382.** Discharged soldiers will be paid on final statements prepared in duplicate and furnished to them by their company or detachment commanders. Payment will be made only on presentation of both copies. Except when notified as prescribed in paragraph 150, paymasters will not pay discharged soldiers unless otherwise satisfied of the genuineness of the discharge papers and the identity of the claimants.

**1383.** Upon payment of the final statements of a discharged soldier, the paymaster will write on the discharge "Paid in full," with his signature, noting amounts paid, except when the final statements have been transferred and are not accompanied by the discharge. The day of enlistment and the day of discharge will both be included in reckoning pay.

**1384.** Paymasters, or other officers to whom a discharged soldier reports the loss or non-receipt by him of final statements to which he is entitled, will report the fact to the Paymaster-General, with any evidence the soldier furnishes them in the matter. The Paymaster-General will transmit the evidence to the Auditor for the War Department.

**1385.** Traveling allowances to discharged soldiers are computed by taking the distance in miles by the shortest usually traveled route from place of discharge to that of enlistment, and allowing one day's pay, and subsistence at the rate of 30 cents, for every 20 miles of travel. If in the computation there remains a fraction of 10 miles or more, it will be reckoned as a full day; if less, it will not be considered. If transportation has been furnished for any part of the distance, that part will be excluded from the computation of travel pay, but subsistence for the full distance will be allowed.

**1386.** An enlisted man discharged for minority concealed at enlistment, or for other cause involving fraud on his part in the enlistment, is not entitled to pay and allowances, including those for travel, and will not receive final statements unless deposits or detained pay are due him, in which case final statements, containing only a list of his deposits or the amount of detained pay will be furnished.

**1387.** Recruits are entitled to pay and allowances when discharged on certificates of disability. When discharged for any cause involving fraud on their part at enlistment, paragraph 1386 will govern.

**1388.** The transfer by an enlisted man of a claim for pay due on his final statements will be recognized only when made after discharge, in writing, indorsed on the final statements, signed by the soldier, and witnessed by a commissioned officer or by some other reputable person known to the paymaster. The person witnessing the transfer must indorse on the discharge the fact of transfer of the final statements, and on the final statements the fact that such indorsement has been made on the discharge.

## MISCELLANEOUS.

**1389.** When a paymaster has made an incorrect payment to an enlisted man, he will report the fact to the commander of the company in which the man is mustered, who will note the same on the next muster and pay roll, that it may be corrected.

**1390.** Authorized stoppages will be entered on the rolls and paid in the following order :

1. Reimbursements to the United States for the loss or damage to arms, equipments or other public property, the nature of which will be clearly stated, extra issues of clothing, transportation, subsistence, expense of apprehending deserters.
2. Amounts paid post exchange and laundrymen at recruit rendezvous.
3. Reimbursements to individuals (as the paymaster, for instance).
4. Forfeitures for desertion, and fines by sentence of court-martial.

**1391.** Officers of the Pay Department will not give receipts except in the following cases :

1. For transfers of money.
2. For money of deceased soldiers or of deserters.
3. For stoppages authorized by the Secretary of War, for which the Paymaster-General may direct receipts to be given.
4. For refundments made by officers on account of overpayments made by paymasters.

In all other cases, the party turning over or refunding money should place it in some authorized public depository, or transfer it to a disbursing officer of the department to which the money belongs.

## ARTICLE LXXXI.

### MEDICAL DEPARTMENT.

**NOTE.**—Regulations for the government of the Medical Department, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Surgeon-General. Only such regulations are herein given as are general in their nature or affect other branches of the service.

### GENERAL PROVISIONS.

**1392.** The Medical Department, under the direction of the Secretary of War, is charged with the duty of investigating the sanitary condition of the Army and making recommendations in reference thereto, with the duty of caring for the sick and wounded, making physical examinations of officers and enlisted men, and furnishing all medical and hospital supplies, except for public animals.

**1393.** The surgeon, under the direction of the commanding officer, will supervise the hygiene of the post or command, and recommend such measures as he may deem necessary to prevent or diminish disease. He will examine, at least once a month, and note in the medical history of the post the sanitary condition of all public buildings, the drainage, the sewerage, amount and quality of the water supply, the clothing and habits of the men, and character and cooking of the food, and immediately after such examination will report thereon in writing to the commanding officer, with such recommendations as he may deem proper. The commanding officer will return the report, with his views and action indorsed thereon, and if he deem the action recommended impracticable or undesirable, will state fully his objections. The indorsement will be recorded in the medical history of the post, and the report and indorsement will be forwarded by the surgeon, through military channels, to the Surgeon-General.

## APPOINTMENTS.

**1394.** No person will be appointed an assistant surgeon unless he has been examined and approved by a board consisting of not less than three medical officers designated by the Secretary of War; and no person will be appointed a surgeon unless he has served five years as an assistant surgeon in the Army, and has been examined and approved by a board consisting of not less than three surgeons, designated as aforesaid.

**1395.** No allowance will be made for the expenses of persons undergoing examination, but those who receive appointments will be entitled to travel allowances in obeying the first order assigning them to duty.

## THE HOSPITAL CORPS.

**1396.** All hospital services in garrison and in the field will be performed by members of the Hospital Corps, who will be enlisted for, and permanently attached to, the Medical Department. In time of war, the corps will perform the necessary ambulance service under such officers of the Medical Department and assistants as may be detailed for that duty.

**1397.** No person will be appointed a hospital steward until he has served a year as acting hospital steward; nor will a steward be appointed nor an acting steward be detailed until he has passed a satisfactory examination, under the direction of the Surgeon-General. Privates who have served one year in the Hospital Corps, and graduates in pharmacy who have served six months and have shown particular fitness, may be recommended to the Surgeon-General for promotion by the senior medical officer of the command. From those thus recommended acting stewards will be detailed, after passing the required examination. These examinations will be conducted by a board composed of the medical officers of the station at which the applicant may be serving, and if no medical officer is there on duty, the candidate will be sent for examination to the nearest station provided with such an officer. The report of the board will be forwarded direct to the Surgeon-General.

**1398.** A hospital steward may be re-enlisted at the expiration of his term of service on the authority of the Surgeon-General, provided he has passed successfully the prescribed examination. If he desire to re-enlist he will report the fact, in writing, through military channels, to the Surgeon-General, sixty days before the expiration of his term of service.

**1399.** Enlistments and re-enlistments for the Hospital Corps will be made, as a rule, by medical officers. Recruiting officers stationed where there is no medical examiner may make such enlistments or re-enlistments upon the authority of the Surgeon-General. In such cases the recruiting officer in making the physical examination will be guided by instructions from the Surgeon-General. Applicants may be accepted who are subject to refractive errors of vision, provided these errors are not excessive, may be entirely corrected by glasses, and are not progressive or accompanied by ocular disease. Every private thus enlisted from civil life will be sent to the nearest military post for medical examination. Should the recruit pass this examination satisfactorily he will be forwarded to a company of instruction at such post as may be designated by the War Department; transportation required will be obtained from a quartermaster.

**1400.** Enlistment papers will be executed in duplicate. In the cases of privates enlisted from civil life at a station where there is no medical examiner and sent to the nearest post for medical examination, the enlistment papers, with the form for physical examination, will be sent to the surgeon of the post, by whom they will be forwarded direct to the Surgeon-General. The enlistment papers of all other members of the corps will be forwarded, with the form for physical examination, direct to the Surgeon-General, who will render to the Adjutant-General of the Army a monthly recruiting return accompanied by one of each set of enlistment papers.

**1401.** A hospital steward, stationed at a place where no post return is made, will make such personal reports as the Surgeon-General may direct.

**1402.** Hospital stewards, though liable to discharge, will not be reduced. The detail of an acting steward may be revoked by the post commander upon the recommendation of the surgeon or by sentence of a court-martial.

**1403.** Enlisted men who have served one year in the line may be transferred to the Hospital Corps as privates. Musicians are not eligible. Selection will be made upon the application of the post surgeon, approved by the post commander, stating age of the soldier, and if over 40 years his special qualifications, character, physical condition, and habits, whether for existing or prospective vacancy, and the date of expiration of current enlistment.

**1404.** Married men will not be enlisted as privates in or transferred to the corps, and no acting steward who is married shall be re-enlisted without special authority.

**1405.** Members of the corps will not be required to perform any military duties other than those pertaining to their corps. They will be instructed in such drills, both foot and mounted, as are necessary for their efficiency. They will not be required to attend ceremonies, except when directed by the commanding officer, and will be inspected and mustered at the hospital. The forms of inspection will be in accordance with the prescribed manual.

**1406.** To meet the requirements of epidemics or other emergencies and to fill vacancies, members of the Hospital Corps may be transferred by the department commander, the quota of each post, as prescribed by paragraphs 1409 and 1410, not being permanently exceeded. Such transfers will be reported to the Surgeon-General.

**1407.** Accounts of pay and clothing of members of the corps will be kept by the surgeons under whose immediate direction they are serving.

**1408.** The surgeon of each post will, on the last day of every month, make a return of the Hospital Corps and means of transportation on the prescribed form in duplicate, sending one copy to the Surgeon-General direct and the other to the chief surgeon of the department.

**1409.** At every post there will be one hospital steward, two if the garrison equals six companies, and an additional one for every additional six companies. At every post of two companies there will also be an acting steward, if practicable.

**1410.** There will be three privates of the Hospital Corps at every military post, four if the garrison consists of two companies, and an additional private for each additional two companies. They will be assigned to the respective duties connected with the hospital service by the surgeon of the post.



**1411.** The number of stewards and privates of the Hospital Corps to be stationed at arsenals, engineer stations, and independent posts will be determined by the Secretary of War.

#### COMPANY BEARERS.

**1412.** There will be in each company four privates designated for instruction as litter bearers. They will be selected by company commanders, with the concurrence of the surgeon. They should be of good character and sufficient intelligence to make them eligible for transfer to the corps, and will be known as "company bearers."

**1413.** Company bearers, together with all available men of the Hospital Corps, will be instructed under the supervision of the surgeon of the post for at least four hours in each month, and at such times as the post commander may appoint, in the duties of litter bearers and the methods of rendering first aid to the sick and wounded. This special instruction will not relieve them from the performance of their regular military duties. They should be instructed primarily, and by object lessons as far as practicable, in first aid. During an engagement or in an emergency the company bearers may be directed by their immediate commanding officers to fall out and give first aid to the wounded, or carry them to the rear until relieved by members of the Hospital Corps, and when so relieved they will immediately join their companies. Company bearers on drill as such and in campaigns will wear a red brassard around the left arm.

#### AMBULANCES AND LITTERS.

**1414.** One regulation ambulance with proper harness will be issued to each post. To posts of more than 200 men, the number to be issued will be one additional ambulance for each additional 200 men or major fraction thereof.

**1415.** The ambulance will not be used except for transportation of the sick and wounded, the recreation of convalescent patients, or to give instruction in the duties of the ambulance service. They will be furnished and repaired by the Quartermaster's Department, will always be subject to the call of the surgeon, and, when practicable, will be housed near the hospital.

**1416.** At each post one of the privates of the corps will be designated by the surgeon as ambulance driver. In addition to his other duties, he will care for the ambulance, its equipment and harness, and see that they are always in readiness for immediate use. In the field he will care for the animals. When it is necessary to use the ambulance for any transportation purposes, the commanding officer, on the application of the surgeon, will see that the requisite animals are provided by the quartermaster and placed at the disposal of the surgeon.

**1417.** At posts each company will be furnished with one hand litter, which will be kept ready at all times for use by the company bearers. They will be supplied and repaired by the Quartermaster's Department.

**1418.** Travois and mule litters may be issued upon the recommendation of the chief surgeon.

**1419.** Commanding officers will inspect ambulances, litters, and other appliances for transporting the wounded at each monthly inspection, and see that they are completely equipped. When practicable, the ambulance fully equipped for service will be presented for inspection, with the animals attached.

## FIELD SERVICE.

**1420.** In field service, troops will be accompanied by such number of men of the Hospital Corps as may be determined by the post commander, on the recommendation of the surgeon.

**1421.** On the march or in battle each medical officer will habitually be attended by a mounted private of the Hospital Corps. Hospital stewards, acting stewards, and at least one private of the corps in each separate command will be mounted when serving in the field, and all privates of the corps will be mounted when serving with mounted commands. Horses will be furnished by the Quartermaster's Department for members of the corps on duty in the field, when practicable. When no horses are available special application for authority to hire must be made.

**1422.** Ambulances will be used for the transportation of the sick and wounded, the instruction of the Hospital Corps and company bearers, and, in urgent cases, for the transportation of medical supplies, and all persons are prohibited from using them, or requiring or permitting them to be used, for any other purpose. It shall be the duty of the officers of the ambulance service to report to the commander of the troops any violation of the provisions of this paragraph.

**1423.** No person, except the proper medical officers or the officers, non-commissioned officers, and privates of the ambulance service, or such persons as may be specially assigned by competent military authority to duty therewith, will be permitted to take or accompany sick or wounded men to the rear, either on the march or upon the field of battle.

## HOSPITAL BUILDINGS.

**1424.** A building will not be erected for nor occupied as a hospital until the opinion of a medical officer has been obtained in writing upon the suitability of site and proposed arrangement. If the commanding officer dissent from this opinion he will return it to the surgeon of the post with his reasons indorsed thereon.

**1425.** Hospitals will be erected at permanent posts in accordance with plans and specifications furnished by the Surgeon-General, approved by the Secretary of War.

**1426.** When alterations of or additions to hospitals are necessary, the surgeon of the post, after obtaining from the quartermaster an estimate of cost, will transmit plans and specifications, with proposed modifications, through military channels to the Secretary of War. Similar action will be taken upon quarters for hospital stewards.

**1427.** When hospitals or hospital stewards' quarters are erected or repaired, the officer conducting the work will consult the surgeon of the post, who will inspect the work during its progress, and when a building is ready for occupancy the surgeon will report as to its merits to the Surgeon-General through the regular channel, and furnish a copy of the report to the constructing officer.

**1428.** The surgeon, after obtaining from the quartermaster necessary data as to the amount of labor, quantity of material, and cost, will forward as soon as practicable after March 1 of each year, through military channels, to the Secretary of War, an estimate of repairs, alterations, or addi-

tions needed on hospital and hospital stewards' quarters during the next fiscal year, with plans of the same, stating the condition of the buildings and necessity for repairs. The surgeon of the post will prepare and sign estimates for hospital construction and repairs, one copy of which is required by the Surgeon-General. The number required at department headquarters is fixed by the department commander. When work is completed, the medical officer will report to the Surgeon-General whether it was performed according to the estimate, and the material and balance of allotment remaining. Approved plans or estimates for construction or repair will be altered only by authority of the Secretary of War.

**1429.** The Surgeon-General will furnish to the Quartermaster-General, in sufficient time for his annual estimates, a statement showing the hospital repairs which will be needed during the ensuing year, with estimated cost of the same.

**1430.** No portion of any hospital building will be used or occupied as quarters, nor will any mess be permitted or maintained therein except such as may be necessary for patients and enlisted men there on duty.

#### SICK CALL.

**1431.** At sick call the enlisted men of each company who require medical attention will be conducted to the hospital by a noncommissioned officer, who will give to the attending surgeon the Company Sick Report Book containing the names of the sick. The surgeon, after examination, will indicate in the book, opposite their names, the men who are to be admitted to hospital and those to be returned to quarters, what duties the latter can perform, with any other information in regard to the sick which he may have to communicate to the company commander.

**1432.** Medical officers will furnish company commanders any information, except the diagnosis, which will assist them in determining, for entry on the muster rolls, whether or not the disability of a soldier who is or has been on sick report originated in the line of duty, entering this information in the Company Sick Report Book. When required they will furnish the diagnosis to the commanding officer.

#### GENERAL HOSPITALS.

**1433.** General hospitals will be under the exclusive control of the Surgeon-General and will be governed by such regulations as the Secretary of War may prescribe. The surgeon in charge will command the same and will not be subject to the orders of local commanders other than those of territorial departments.

**1434.** Hospital transports, boats, and railway trains, after being properly assigned as such, will be exclusively under the control of the Medical Department, and will not be diverted from their special purposes by orders of local or department commanders or officers of other staff corps.

#### SERVICE OF HOSPITALS.

**1435.** The senior surgeon is charged with the management and is responsible for the condition of the post hospital, which will be at all times subject to inspection by the commanding officer. The surgeon of the post will inspect the hospital every morning, and on Saturday will also inspect the detachment of the Hospital Corps.

**1436.** The surgeon of the post will assign his assistants and the members of the Hospital Corps to duty, and report them on the muster rolls in the capacity in which they are serving. With the approval of the commanding officer he will also appoint the matrons.

**1437.** Hospital matrons will be allowed as follows: At general hospitals, one matron to twenty patients or major fraction thereof; at hospitals at posts and arsenals, a number fixed by the Surgeon-General.

**1438.** Patients will, if possible, leave their arms and accoutrements with their companies. In no event shall ammunition be taken into the hospital.

**1439.** When a soldier in hospital is detached from his company, his company commander will send to the hospital his descriptive list. The surgeon in charge will enter thereon all payments, stoppages, and the money value of all clothing issued, and when the soldier leaves the hospital will return the list to the company commander. If the soldier is discharged from the service while in hospital, the surgeon will furnish him with final statements and notify the Adjutant-General of the Army and the company commander of the date, place, and cause of discharge. If the soldier die in hospital the surgeon will take charge of his effects and make the reports required in paragraph 158.

**1440.** Sick or wounded soldiers, discharged while in hospital, will be entitled to medical treatment in hospital, and to the usual ration during disability, or for the period considered proper for them to remain under treatment, but a discharged soldier who has left the hospital will not be readmitted except upon the written order of the commanding officer.

**1441.** Tents, clothing, hospital furniture, and other stores used in the treatment of contagious diseases, will be disinfected or burned under the supervision of a medical officer.

**1442.** The Secretary of War may, on the recommendation of the Surgeon-General, order gratuitous issues of clothing to soldiers who have had contagious diseases, and to hospital attendants who have nursed them, to replace articles destroyed by order of the proper medical officer to prevent contagion.

**1443.** Medical officers in charge of hospital property will not permit it to be used for other than hospital purposes.

**1444.** Civilian employees at military posts may purchase the medical supplies prescribed for them by a medical officer, at cost price with 10 per cent. added. Medical officers who dispense medical supplies to civilian employees will render direct to the Surgeon-General, on the first day of every month, detailed accounts in duplicate, giving the name of each employee, the kind and quantity of medical supplies furnished him, and by whom prescribed, during the preceding month, leaving a space between items for the insertion of the price, which will be fixed at the Surgeon-General's Office. One copy will be returned to the officer furnishing the supplies, and the amounts inserted will be collected by the officer accountable for them, and be disposed of in the same manner as proceeds of other sales of medical property. At isolated posts where issues to civilians become necessary to save life or prevent extreme suffering, medical officers will make such issues, and at the end of each month report the circumstances to the Surgeon-General. Original prescriptions will be retained as a part of the hospital records, and will be subject to examination at all times by inspectors and post commanders.

**1445.** A civilian employee on duty at a station where other than Army medical attendance can not be procured, is entitled, when necessary, to admission to hospital.

**1446.** Civilians not in public service will be admitted to hospital only in cases of extreme necessity, and by permission of the commanding officer on written application of the surgeon. Rations will not be issued to them by the commissary, but their food will be purchased from the hospital fund, and the surgeon may remit all charges in cases of destitution.

**1447.** Hospital charges will be as follows: For subsistence of a retired enlisted man, 25 cents per day; for nursing, medicines, and subsistence of a civilian employee, 50 cents per day; for officers of the Army, seamen and river boatmen (admitted only on permit issued by a medical officer of the Marine-Hospital Service or a customs officer), and civilians admitted as provided in the preceding paragraph, \$1 per day. The money received will be accounted for with the hospital fund.

**1448.** The surgeon of the post will keep, account for, and expend the hospital fund according to the instructions of the Surgeon-General, exclusively for the benefit of the sick in hospital and the enlisted men of the Hospital Corps serving therein.

**1449.** Medical and official publications furnished from the Surgeon-General's Office to surgeons in charge of hospitals will be properly filed and preserved in the hospital library. The expense of binding these publications and those issued to chief surgeons will be defrayed by the Medical Department, and they will be transported to and from the medical supply depots by the Quartermaster's Department.

#### MEDICAL ATTENDANCE.

**1450.** Medical officers on duty will attend officers and enlisted men, and, when practicable, their families; and at stations, or in the field, where other medical attendance can not be procured, civilian employees. Medicines will be dispensed to all persons entitled to medical attendance, and hospital stores to enlisted men and hospital matrons, also to officers at posts or stations where they can not be procured by purchase.

**1451.** Medical officers at their stations will furnish medical attendance to officers and enlisted men on the retired list, but they will not be required to leave their stations for that purpose. Medicines, dressings, etc., will be supplied to retired officers and enlisted men from army dispensaries on medical officers' prescriptions.

**1452.** When medical attendance is required by an officer or enlisted man on duty, and the attendance of a medical officer can not be had, the officer, or if there be no officer present, then the enlisted man, may employ a civilian physician, and a just account for his services and the necessary medicines will be paid by the Medical Department. The accounts for each fiscal year will be rendered separately, and, if for continuous service, forwarded monthly. Accounts for temporary service will be forwarded promptly upon termination thereof.

**1453.** Accounts for medical attendance will set forth the full name and address of the physician, the full name, rank, company, and regiment or

corps of patient, date of and charge for each visit, charge for medicines, and particular disease or injury treated. The physician will certify that the account is correct and just, and that the charges do not exceed the customary charges in the vicinity. The officer will certify, or the enlisted man make oath, to the correctness of the account, stating that he was on duty at the time and place specified, and why it was impossible to secure the services of an Army surgeon. When medicines are furnished by a druggist and charged for by the physician, the original prescription must be furnished, and the receipt of the druggist to the physician will accompany the account.

**1454.** Accounts for medicines will be accompanied by the original prescriptions, and must be for medicines properly so called only. When such an account is presented for payment the druggist will furnish the following certificate: "I certify that the above account is a just and correct statement of medicines furnished by me at —, to officers and enlisted men of the United States Army, on the prescriptions herewith submitted; that said medicines were actually furnished on said prescriptions to said officers and enlisted men, respectively, at the dates set forth in said account, and that the prices charged are not in excess of those prevailing at said place."

**1455.** The officer under whose authority the prescriptions are filled will certify the account as follows: "I certify that the foregoing account is correct; that the officers and enlisted men therein mentioned were actually on duty at — when the medicine was furnished for them as stated therein, and that such medicines could not then have been procured at an Army dispensary in or near said place." The account must set forth the full name of each officer and enlisted man, his rank, the command to which he belongs, and the number, date, and price of each prescription. If there was an Army dispensary in or near the place, but the medicines were procured elsewhere because it was closed when they were required, or if they could not be there procured for some other sufficient reason, a statement of the facts supposed to justify the purchase will be added at the end of the officer's certificate.

**1456.** When the charge for attendance is against an officer, he will pay the account, if practicable, and transmit it, properly receipted, to the Surgeon-General for reimbursement; if the officer has paid it, the fact must be plainly stated in both his and the physician's certificates. If against a deceased officer or enlisted man, the physician will certify as required in paragraph 1453, and that he has not received the sum expressed nor any portion thereof. Accounts for consultation, for medical attendance and medicines for officers and enlisted men not on duty, and for families and servants of officers and enlisted men will not be paid. Treatment of chronic complaints by a specialist will not be paid for, unless authority to employ such specialist has been obtained from the Surgeon-General. Accounts for hospital stores and necessary surgical appliances will be paid only for enlisted men. Accounts for mineral waters or proprietary medicines will not be paid.

**1457.** Accounts for board, lodging, nursing and medical attendance of sick soldiers in private hospitals will be sent to the Surgeon-General for settlement, the Medical Department to be reimbursed by the Subsistence Department for that part paid for board.

**1458.** The charge of a civilian physician for examination of a re-enlisted soldier or an accepted recruit will be included in his account for medical attendance at a rate not exceeding \$1 for each. In preparing accounts for medical examination of or medical attendance and medicines furnished to recruits assigned or unassigned, the date of enlistment will be stated in each case. The sick at recruiting stations, excepting those with trivial disabilities, or severe injuries which render their removal impracticable, will be sent by the recruiting officer for treatment to the nearest military hospital. Accounts pertaining to officers and enlisted men on duty with recruiting parties will be forwarded to the Surgeon-General through the Adjutant-General of the Army.

**1459.** The following rates of charges for ordinary medical attendance by civilian physicians will not be exceeded, and if the local charge per visit is less, the account will be rendered at the local rates: For attending sick call, five men or less, \$2.50; for each man attending at sick call in excess of five, 50 cents; for additional visit or sick call on same day, when necessary, \$2.00. In making arrangements with physicians for medical attendance upon garrisoned posts or large detachments it should be understood that, while the rates above specified are not to be exceeded (unless in exceptional cases), it does not follow that this schedule of rates is necessarily to govern in cases where there is a large sick report. Where the service is for several days or for an extended period, the rate of payment for such service should not exceed \$125 per month. Accounts of physicians not under contract for service at military posts will be forwarded in duplicate to the chief surgeon. Accounts for service at independent posts and stations will be forwarded direct to the Surgeon-General.

#### MEDICAL SUPPLIES.

**1460.** Purchase of medical supplies will be made in pursuance of law, under the direction of the Surgeon-General.

**1461.** Weights and measures given in the supply table will be in accordance with the metric system, and all prescriptions, invoices, receipts, issues, and returns of medical supplies will be made in conformity therewith. Articles not on the supply table will be issued only by special authority of the Surgeon-General.

**1462.** The routine issue of disinfectants is prohibited.

**1463.** Damaged or unserviceable medicines, medical books, surgical or scientific instruments and appliances, pertaining to the Medical Department, will not be presented to an inspector for condemnation until authority for so doing has been obtained from the Surgeon-General.

#### REPORTS AND RETURNS.

**1464.** Each chief surgeon will make to the Surgeon-General on the last day of every month a return of medical officers and physicians under contract.

**1465** When authorized by the Secretary of War, chief surgeons will visit such posts within their departments as may be designated, and will investigate and report to the Surgeon-General concerning the sanitary condition of the posts, their medical and hospital supplies, and the discipline and efficiency of their medical service.

**1466.** Within two days after every action, the surgeon on duty with a regiment or detachment participating will forward through military channels to the chief surgeon a list of wounded in duplicate. The chief surgeon will immediately forward one copy to the Surgeon-General and retain the other to accompany his report to the commanding general.

## ARTIFICIAL LIMBS.

**1467.** Every officer, enlisted man, or employee of the military forces of the United States who, in the line of duty or through disease contracted in service, shall have lost a limb or the use of a limb will receive once every three years an artificial limb or appliance, or commutation therefor if he shall so elect, under such regulations as the Surgeon-General of the Army shall prescribe. The money value allowed as commutation is, for a leg, \$75; for an arm, foot, and apparatus for resection, \$50.

**1468.** Necessary transportation, including sleeping car accommodations, required for travel to place where artificial limbs may be fitted, will be furnished by the Quartermaster's Department, the cost to be refunded from any money appropriated for the purchase of artificial limbs.

**1469.** An officer who pays an account for transportation of persons to enable them to procure artificial limbs will, as soon as payment is made, forward the original account to the Quartermaster-General, with a letter of transmittal, in which he will state that the account is forwarded under the provisions of this paragraph that it may be referred to the Surgeon-General for repayment to the Quartermaster's Department. The paying officer will take credit for the amount paid on his accounts for the month, and will note thereon the fact that the account was forwarded to the Quartermaster-General, on a specified date, for the purpose aforesaid.

**1470.** The Quartermaster-General, if he finds the account correct, will forward it to the Surgeon-General with request that the amount be paid to the depot quartermaster, Washington, D. C., and the Surgeon-General will cause the amount to be paid from the appropriation for artificial limbs. The depot quartermaster will deposit the money in the Treasury to the credit of the appropriation for Army transportation, and in his account current will state from whom the money was received, and that it was a refundment to the Quartermaster's Department from the appropriation for artificial limbs, of a sum paid by ———, quartermaster, U. S. A., on voucher No. —, for —, 18—, for the transportation of a person en route to procure an artificial limb. He will also immediately notify the Auditor for the Interior Department of the receipt of the money (stating amount, and from whom and when received, and for what purpose), and where he has deposited the same, and that he will account for it in his account current for the month of —, —.

**1471.** On referring an account to the Surgeon-General for refundment, the Quartermaster-General will notify the depot quartermaster of his action, giving the name of the quartermaster who made the payment, date and number of the voucher on which payment was made, and amount paid. He will state that the payment was for the transportation of a person en route to procure an artificial limb.



## ARTICLE LXXXII.

## CORPS OF ENGINEERS.

NOTE.—Regulations for the government of the Corps of Engineers, prepared and published under the authority of the Secretary of War, are distributed to its officers by the Chief of Engineers. Only such regulations are herein given as are general in their nature or affect other branches of the service.

**1472.** The duties of the Corps of Engineers comprise reconnoitering and surveying for military purposes; selection of sites and formation of plans and estimates for military defenses; construction and repair of fortifications and their accessories; planning and superintending of defensive or offensive works of troops in the field; examination of routes of communications for supplies, and for military movements and construction of military roads and bridges; execution of river and harbor improvements assigned to it, and such other duties as the President may order. It collects, arranges, and preserves all correspondence, reports, memoirs, estimates, plans, drawings, deeds, and titles relating to the Washington Aqueduct and public buildings and grounds in the District of Columbia, and models which concern or relate in any wise to the several duties above enumerated.

**1473.** The Chief of Engineers will have his headquarters at Washington, D. C., and will be charged, under the direction of the Secretary of War, with the command of the Corps of Engineers and the management of the Engineer Department as well as the regulation of the duties of all officers, agents, and others who may be employed under his direction.

**1474.** When officers or troops of the Corps of Engineers are detached from the command of the Chief of Engineers, they will continue to conform to the regulations of the Engineer Department in regard to the keeping of records and rendering of reports and accounts.

**1475.** Engineer officers and troops on special service under the immediate orders of the Chief of Engineers will not be diverted from such service, except in cases of marked public exigencies, and, when so diverted, the officer of the corps will immediately report the same to the Chief of Engineers, transmitting a copy of the orders he may have received. The officer issuing the order will transmit a copy direct to the War Department. Upon the termination of the exigency, such officers or troops will be returned to such special service, unless otherwise directed by the Chief of Engineers.

**1476.** Every organization or detachment of engineer troops will be entitled to the same provisions, allowances, and benefits, in every respect, as are allowed by law or regulations to other troops of the military establishment.

**1477.** The commander of the engineers serving with an army in the field will be attached to general headquarters.

**1478.** The senior officer of the Corps of Engineers serving with an army corps, a division, a brigade, or smaller body, will communicate to the commander thereof any orders he may receive from any superior in his own corps.

**1479.** An engineer directed to superintend any works to be constructed by troops will point out what is to be done, and will maintain such a supervision as will enable him to see that it is done correctly. It will be the duty of the officer having charge of the detachment to execute the work accordingly. The detail of troops for works to be carried on under the superintendence of engineers will be furnished on the requisition of the senior engineer, addressed to the officer in command of the troops. The requisition

will specify the number of men required, the time and place at which they will assemble to commence work, and the name and rank of the engineer officer to whom they will report. The requisition may be for part of a day or night, for a whole day or night, for a week or a longer period, according to circumstances; the duration of the service always being specified.

**1480.** When on duty with armies in the field, engineers engaged in surveys and reconnaissances will report their operations, also the execution of all other duties, to their immediate chief at headquarters of the army, who will report directly to the commander thereof.

**1481.** The senior engineer serving with the army in the field will, subject to the approval of his commander, report monthly to the Chief of Engineers the operations of the engineer force under his direction sufficiently in detail to show the nature and extent of the operations and the respective portions executed by the several engineer officers engaged therein.

**1482.** The senior engineer will also cause to be made exact plans of all military works executed under his direction, and in case of attack or defense will cause exact journals to be kept, showing, by drawings and descriptions, every particular of each day's events. These plans and descriptions, with maps of all surveys and reconnaissances and explanatory reports or memoirs, will be carefully preserved and transmitted at suitable opportunities to the Chief of Engineers.

**1483.** When an engineer is sent to any military department, fortress, garrison, or post, a duplicate of his orders will be sent to the commanding officer. On his arrival the engineer will communicate his orders, and necessary facilities for executing them will be afforded by the commanding officer. While so on duty, without being especially put under the direction of the commanding officer, the engineer officer will be furnished with copies of all orders and regulations of the command relative to etiquette and police, and with the countersign when quartered within a chain of sentinels. The engineer officer will report to the commanding officer when relieved from duty within the limits of the command.

**1484.** Engineer officers engaged in the construction of fortifications or other public works are entitled to allowances of quarters, mess rooms, and kitchens, with fuel for the same, as are provided by regulations for officers at garrisoned posts.

**1485.** No alterations will be made in any fortification or in its casemates, quarters, barracks, magazines, storehouses, or any other building belonging to it, nor will any building of any kind or work of earth, masonry, or timber be erected within the fortification or within a mile of its exterior, except under the direction of the Chief of Engineers and by authority of the Secretary of War.

**1486.** When the Chief of Engineers is satisfied that any fortification is in all respects complete so far as the functions of his department are concerned, he will give notice thereof to the Secretary of War, that it may be turned over for occupation by the troops. Until its completion has been announced, no work will be occupied by troops except by the special order of the Secretary of War.

**1487.** Officers of the Corps of Engineers, or those on engineer duty, traveling on service connected with fortifications or works of public improvement, will be paid their travel allowances from the special appropriation for the work. When traveling on any other duty, the mileage will be paid by that branch of the service intrusted with such payments for the Army.

## ARTICLE LXXXIII.

## ORDNANCE DEPARTMENT.

NOTE.—Regulations for the government of the Ordnance Department, prepared and published under authority of the Secretary of War, are distributed to its officers by the Chief of Ordnance. Only such regulations are herein given as are general in their nature or affect other branches of the service.

## GENERAL PROVISIONS.

**1488.** The Chief of Ordnance, under the direction of the Secretary of War, is charged with the duty of procuring, by purchase or manufacture, and distributing the necessary ordnance and ordnance supplies for the Government, and establishes and maintains arsenals and depots for their manufacture and safe-keeping. All officers or other persons in the military establishment, to whom ordnance and ordnance supplies or funds are intrusted, will make accounts and returns thereof to the Chief of Ordnance at the times and in the manner prescribed by him.

**1489.** Vacancies in the grade of first lieutenant of ordnance are filled by transfer from the line of the Army. To be eligible, an officer must be less than thirty years of age, must have served at least two years as an officer in the line of the Army, and must have passed a satisfactory examination before a board of ordnance officers. Applications for examination will be made to the Adjutant-General of the Army.

**1490.** Should the applicant be directed to appear before a board, he will, after passing a satisfactory preliminary examination as to his physical qualifications, be examined upon the following, or such other subjects as the Secretary of War may prescribe: Gun construction, present and past state of the art; ballistics and ballistic machines; types of projectiles and gun carriages; gunpowder, types and modes of manufacture; small-arms and machineguns; employment of artillery, kinds of fire, etc.; armored defenses; materials for ordnance construction and processes of manufacture; torpedoes for coast defenses; general principles of mechanics.

**1491.** In the absence of the officer commanding an ordnance establishment, if there be no other ordnance officer present, the command devolves upon the ordnance storekeeper.

## ISSUES AND SALES.

**1492.** Ordnance and ordnance stores include cannon and artillery carriages and equipments; apparatus and machines for the service and maneuver of artillery; small-arms ammunition and accoutrements; horse equipments and harness for the artillery; tools, machinery, and materials for the ordnance service, and all property of whatever nature supplied to the military establishment by the Ordnance Department.

**1493.** In time of peace, ordnance and ordnance stores are issued from the arsenals and armories by direction of the Chief of Ordnance. Should an issue be made not directed by the Chief of Ordnance, the order therefor will be promptly transmitted to him by the issuing officer.

**1494.** In time of war, issues may be made to troops in service, on the order of any general or field officer commanding an army, garrison, or

detachment. To authorize an issue to militia, they must have been regularly mustered into the service of the United States, and the requisition for the stores must be properly approved.

**1495.** The Chief of Ordnance will, on the recommendation of a department commander, approved by the Commanding General of the Army and the Secretary of War, establish ordnance depots at such points as may be designated by the Secretary of War, where ordnance stores will be held for distribution to the troops under such regulations as the department commander may prescribe.

**1496.** When practicable, these depots will be under the charge of ordnance officers, and only such limited supply of ordnance stores as may be required to meet emergencies will be kept at or issued from them. All other ordnance stores will be supplied from the arsenals as provided in paragraph 1493.

**1497.** Requisitions for ordnance supplies to meet emergencies will be filled from a depot, under the instructions of the department commander. The officer in charge will be responsible, under the department commander, that sufficient stores, procured by timely requisitions upon the Chief of Ordnance, are always on hand. Unserviceable and unsuitable ordnance and ordnance stores at such depots are under the control of the Chief of Ordnance.

**1498.** Requisitions for ordnance and ordnance stores not on hand within a department must be approved by the immediate commanders. The personal approval of the department commander, or of the chief ordnance officer of his department, is necessary, but in the absence of the department commander the approval may be made in his name by one of his staff officers. After approval, one copy is forwarded to the Chief of Ordnance direct.

**1499.** Requisitions will be made in conformity with the supply tables prepared by the Chief of Ordnance, unless extraordinary circumstances, to be plainly set forth in each case, should require a larger supply of one or more of the articles authorized.

**1500.** Requisitions for ordnance stores, to replace those condemned, will be accompanied by a certified copy of the inspection report; but issues may be made before condemnation on requisition and the officer's statement that the stores are immediately needed for the proper equipment of his command, and that the articles are to replace unserviceable stores, but if required to replace those lost or damaged by the carelessness of the men, the officer will certify that he has charged the cost of the same on the muster and pay rolls.

**1501.** The service arms, ammunition, accoutrements, and horse equipments required by an officer for his own use in the public service may be sold to him by the Ordnance Department at the regulation price, and the money received passed to the credit of the proper appropriation. Ordnance supplies thus sold to officers will not be disposed of to persons not in the military service. Officers who have once purchased can not be resupplied, except by order of the Secretary of War, and then only after certifying that the property previously purchased was not disposed of in a manner contrary to this paragraph.

**1502.** When the arms or equipments authorized to be purchased in the preceding paragraph can not be obtained from an ordnance officer, officers

may take from those for which they are accountable such articles as they require for their personal use, or may furnish them to officers of their commands for like purpose. In such cases they will refund the cost of the articles to the Ordnance Department by depositing the money with an assistant treasurer or an authorized depository, and taking and transmitting the customary certificates.

**1503.** Officers serving with troops may draw for their personal use, from stores belonging to the command with which they are serving, one regulation rifle or carbine, and one revolver, with the appropriate belts, carbine slings, and cartridge boxes, and the usual quantity of ammunition for each arm. This ordnance property may be used in action or target practice, and will be accounted for in the same manner as similar stores belonging to the United States in the hands of troops.

**1504.** Ordnance stores will not be loaned to any person, and any officer violating this rule will be held responsible for the money value of the articles.

**1505.** An officer who makes an issue of ordnance stores to one not in command of troops, except under orders from competent authority, will be charged with the money value of the stores so issued.

**1506.** Department commanders may, in cases of emergency, direct the sale of arms and ammunition of calibers not used in service, at exposed frontier settlements, to actual settlers for their protection, when they have not the means and facilities to provide for themselves. Officers who make the sales will be required to file with their returns the department commander's authority for the same, and his explanation of the emergency requiring it. No deduction in price will be made on account of failure of purchasers to take bayonets.

**1507.** The issue or sale of arms, ammunition, or other ordnance stores to Indians not in the military service, or to Indian agents, will not be made except by the special authority of the Secretary of War.

**1508.** Civilian employees of the War Department may be armed when necessary for the protection of life or public property, and the same responsibility attaches to the officers accountable for the arms furnished them that attaches to those accountable for the arms in the hands of enlisted men.

**1509.** The sale of ammunition to civilians belonging to exploring or surveying expeditions authorized by law, and to civilian employees of the War Department, may be made for hunting purposes when considered necessary for their subsistence, or for the interest of the United States.

**1510.** Arms lost, destroyed, or embezzled by civilian employees will be charged in the same manner as stores similarly lost by enlisted men. A certified statement of the fact will be made in duplicate, and the money accounted for to the Ordnance Department. One copy of the statement is filed with the return.

#### EXPENDITURE OF AMMUNITION.

**1511.** Ammunition will only be expended in action, in defense of life or public property, in target practice, in the preliminary instruction of the soldier, in hunting, and for authorized salutes.

**1512.** The officer's certificate as to the necessity for all expenditures of ammunition must accompany his property return, and when ammunition

is dropped from his return as "expended in action by civil employees," a statement giving the place, date, and attending circumstances, sufficiently in detail to insure verification, must be filed with the return.

**1513.** Ammunition expended by a soldier without orders, or not in the line of duty, or which may be damaged or lost through his neglect, will be charged to him.

**1514.** When ammunition is furnished to civilian employees it is not to be dropped from the returns unless expended in action, or in hunting when necessary to obtain subsistence. Ammunition not so expended will be returned to the responsible officer and accounted for by him, or paid for at the price fixed.

#### SURPLUS AND DAMAGED STORES.

**1515.** Serviceable surplus ordnance stores may be turned in at the nearest arsenal, on the order of a department commander, or if in the hands of a recruiting officer, on the order of the Adjutant-General of the Army.

**1516.** Officers in charge of arsenals and ordnance depots will afford every facility to officers authorized to turn in property. They will give receipts for it according to condition.

**1517.** Whenever canteens become unserviceable because of worn-out covers or lost corks, they will not be presented for condemnation, but will be repaired by the troops. Timely requisitions will be made on the Ordnance Department for extra covers, corks, etc., with which to repair them.

**1518.** On arrival of recruits at their destination, the clothing bags, haversacks, meat cans, tin cups, knives, forks, spoons, and canteens in their possession will be properly packed and turned over to the Quartermaster's Department for transportation to an arsenal to be designated by the Chief of Ordnance for repairs and subsequent issue to recruiting stations and recruit rendezvous. Should any of these stores be needed for the proper equipment of the organization to which the recruits are sent, they may be retained and report thereof made at once to the Chief of Ordnance.

**1519.** Ordinary repairs can usually be made in the company, or at the post, with the means provided for that purpose by the Ordnance Department. When the repairs required are too extensive to be thus made, an inspector should recommend that the stores be sent to an arsenal to be designated by the Chief of Ordnance. A certified extract from the inspection report, accompanying the invoices, is the officer's authority for turning them in.

**1520.** In the absence of an inspecting officer, department commanders may direct all arms, accoutrements or equipments needing repairs, which can not be made by the troops, to be sent to an arsenal to be designated by the Chief of Ordnance.

**1521.** No officer will turn in any unserviceable ordnance stores except as provided in these regulations.

**1522.** Lists of prices to be charged against soldiers for the loss of or damage to firearms are published from time to time.

**1523.** Arm chests not required for the storage of supplies will be returned to the nearest arsenal or ordnance depot when the cost of transportation is not greater than the value of the property. Officers to whom such chests have been issued will be charged with their value if they are destroyed.

## INSPECTION OF ORDNANCE SUPPLIES.

**1524.** Before final disposition of ordnance supplies which from any cause are worn out or damaged, they will be submitted to an inspector.

**1525.** When sales of ordnance stores are recommended, all of the copies of the inspection report will be forwarded by the department commander direct to the Chief of Ordnance, for the final action of the Secretary of War.

**1526.** When the recommendation of an inspector for sale of ordnance supplies is approved, two copies of the report will be returned to the officer accountable for the stores, through the headquarters of the department in which he may be serving, with detailed instructions how to make the sales and account for the proceeds, and one copy transmitted to the Inspector-General. One copy of each inventory and inspection report must accompany the return.

## PACKING AND TRANSPORTATION.

**1527.** Officers who ship arms of any description are held responsible that they are so packed that, under ordinary handling, they can not break loose from their fastenings in the boxes, and that no loaded arm is packed for transportation. When loaded arms, or arms insecurely packed, are received by an officer, he will report the facts direct to the Chief of Ordnance.

**1528.** After packing arms or other ordnance stores for shipment, the covers and bottoms of the arm chests and packing boxes will, if possible, be sealed with wax and stamped with an official mark by the officer responsible. The lid will be secured by screws, at least two of which will be sealed. Each board on top and bottom will have at least one sealed screw. The screw heads will be countersunk to a depth sufficient to protect the wax seal from injury. The design of the seal will designate the arsenal or post from which the shipment is made, or the name of the shipping officer.

**1529.** The Ordnance Department will prepare official stamps for sealing boxes, and distribute them in duplicate to each company. Company commanders will account for them in their quarterly returns of ordnance stores and use them exclusively for purposes intended.

**1530.** The name of the invoicing officer, the gross weight of all boxes and date of weighing will be distinctly marked thereon. Each quartermaster who ships or receives ordnance stores will satisfy himself that the seals on the packages are unbroken. If the seals should be broken and any stores lost, he will cause the value of the lost stores to be charged to the carrier.

**1531.** For transportation, ordnance stores will be turned over to the Quartermaster's Department, with duplicate invoices; a third invoice, with duplicate receipts, to be signed by the receiving officer, will be sent direct to him by mail. Materials procured for current use at ordnance establishments will be transported at the expense of the Ordnance Department.

## RETURNS AND REPORTS.

**1532.** Officers accountable for ordnance funds will render the returns and statements required by Ordnance Regulations.

**1533.** Officers or ordnance sergeants accountable for ordnance and ordnance stores will render a quarterly return thereof direct to the Chief of Ordnance, within twenty days after the expiration of each quarter.

**1534.** Records of artillery firing will be kept by commanding officers of permanent forts and batteries, and a copy forwarded direct to the Chief of Ordnance at the end of February, April, June, August, October, and December of each year.

**1535.** Requisitions for blanks and blank books required for the use of the Ordnance Department will be made quarterly, or when needed, by every regiment and company. Those suited to every command and arm of the service can be obtained upon application to the Chief of Ordnance.

**1536.** In the care and preservation of artillery material, magazines, small arms, etc., the instructions contained in the authorized Manual of Heavy Artillery and the publications of the Ordnance Department will be observed.

#### ARTICLE LXXXIV.

##### THE SIGNAL CORPS.

**1537.** The Chief Signal Officer is charged, under the Secretary of War, with the direction of the Signal Bureau; with the control of the officers, enlisted men, and employees attached thereto; with the construction, repair, and operation of military telegraph lines; with the supervision of such instruction in military signaling and telegraphy as may be prescribed in orders from the War Department; with the procurement, preservation, and distribution of the necessary supplies for the Signal Corps. He has charge of all military signal duties, and of books, papers, and devices connected therewith, including telegraph and telephone apparatus and the necessary meteorological instruments for target ranges and other military uses; of collecting and transmitting information for the Army, by telegraph or otherwise, and all other duties pertaining to military signaling.

**1538.** Vacancies in the grade of first lieutenant in the Signal Corps are filled by transfer from the line of the Army. To be eligible, an officer must be less than thirty years of age, have served at least two years as an officer in the line, and have passed a satisfactory examination before a board of officers of the Signal Corps. Applications for examination will be made to the Adjutant-General of the Army. Should the applicant be directed to appear before a board, he will, after passing a satisfactory examination as to his physical qualifications, be examined upon the following subjects, or such others as the Secretary of War may prescribe: Theoretical and practical electricity, modern languages, chemistry and optics, military surveying and reconnaissance. The board will inquire into and consider the special military fitness for the Signal Corps of the candidate and require from him an essay on a military subject.

**1539.** The number of sergeants of each class at each signal station will be fixed by the Chief Signal Officer. They will be enlisted and may be mustered, at his discretion, in the class for which competent, and in which there is a vacancy. Sergeants are promoted and reduced in the classes of their grade as fixed by law by the Chief Signal Officer.

**1540.** An officer having charge of the descriptive list of a sergeant of the Signal Corps not mustered at a garrisoned post will forward monthly to the Chief Signal Officer direct a copy of all remarks made on the descriptive list, also of the list when transferred to any other officer.



**1541.** The senior signal officer of an army in the field commands the signal parties serving therein. Orders affecting them will be transmitted through him, and he will be responsible that they are fully instructed, adequately supplied, and that they properly perform their duties. He will keep himself informed of the position of the army and of the enemy, and under the instruction of the general commanding will establish his stations. He will submit reports of operations to the general commanding, and forward copies thereof to the Chief Signal Officer in Washington, to whom he will report monthly his station, the strength and condition of his parties, and all other matters pertaining to their duties and equipment.

**1542.** When telegraph lines are, by order of the Secretary of War, placed under charge of signal officers, they will be held responsible for their construction, maintenance, and operation. Commanding officers and others will see that the special duties of these officers are not interfered with, and upon proper application will render any assistance in their power.

**1543.** Official and military messages will have precedence. Communications transmitted by telegraph or signals are always confidential, and will not be revealed except to those officially entitled to receive them.

**1544.** Department commanders will require suitable instruction and practice in military signaling in their departments. To this end they will cause a signal officer to be detailed at each post, who will give necessary instruction and supervise field practice during at least two months of the year. Constant instruction will be maintained until at least one officer and four enlisted men of each company are proficient in the exchange of both day and night signals by flag, torch, and heliograph. The detail will be changed from time to time. For each month in which instruction and practice are held, reports thereof will be rendered to the Chief Signal Officer, through department commanders.

**1545.** As the Army signal code differs from the Navy code, code cards and instructions in detail for using each will be furnished by the Chief Signal Officer upon application.

**1546.** Signal supplies will be furnished by the Signal Bureau to posts and such organizations as require them, on requisitions approved by department commanders. They will be receipted for by signal officers and will be accounted for to the Chief Signal Officer on forms furnished for the purpose. Telescopes, field glasses, heliographs, and telephones, when unserviceable, will not be submitted to an inspector for condemnation without previous authority of the Chief Signal Officer.

**1547.** Quartermasters and commissaries will issue to signal parties serving in their vicinity such supplies from their respective departments as may be necessary for their proper equipment and subsistence, on the requisition of the officer in charge of such parties.

## ARTICLE LXXXV.

### UNIFORM.

**1548.** The uniform and equipments of officers and enlisted men will be prescribed in special regulations published by authority of the Secretary of War.

**1549.** The proper dress will be determined by the commanding officer. When an officer or soldier is permitted to wear civilian dress, it will not be accompanied by any mark of the uniform. When in uniform he will conform strictly to the requirements for the day.

**1550.** Officers and enlisted men may be permitted to wear black rubber ponchos or blankets, or black or dark-blue waterproof overcoats when on duty involving exposure to rainy or other inclement weather.

#### MISCELLANEOUS.

**1551.** Officers and enlisted men who, in their own right or by right of inheritance, are members of military societies of men who served in the armies and navies of the United States in the War of the Revolution, the War of 1812, the Mexican War, and the War of the Rebellion, or are members of the Regular Army and Navy Union of the United States, may wear on all occasions of ceremony, when full dress is required, the distinctive badges adopted by such societies—badges to be worn on the left breast of the coat suspended by a ribbon from a bar of metal passed through their upper ends, and tops of the ribbons forming a horizontal line, the outer end of which will be from three to four inches below the top of the shoulder according to height of wearer. Medals of honor and the several distinctive marks given for excellence in rifle practice may also be worn in the same manner by officers and enlisted men upon all occasions of ceremony. Insignia “buttons” will not be worn.

#### ARTICLE LXXXVI.

##### BLANK FORMS.

**1552.** The standard blank forms used in Army administration, with the notes and directions thereon, have the force and effect of Army Regulations. New forms or alterations will not be made without the authority of the Secretary of War, and the date on which a form or alteration was authorized will be printed on the form itself. All notes or directions on these blanks will, prior to their issue, be approved by the Secretary of War. These forms and lists of them will be furnished by the chiefs of the various bureaus and offices of the War Department. Requisitions therefor will call for them by number and name.

## ARTICLES OF WAR.

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SECTION 1342, Revised Statutes. The armies of the United States shall be governed by the following rules and articles. The word officer, as used therein, shall be understood to designate commissioned officers; the word soldier shall be understood to include noncommissioned officers, musicians, artificers, and privates, and other enlisted men, and the convictions mentioned therein shall be understood to be convictions by court-martial.

ARTICLE 1. Every officer now in the Army of the United States shall, within six months from the passing of this act, and every officer hereafter appointed shall, before he enters upon the duties of his office, subscribe these rules and articles.

ART. 2. These rules and articles shall be read to every enlisted man at the time of, or within six days after, his enlistment, and he shall thereupon take an oath or affirmation, in the following form: "I, A. B., do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States, and the orders of the officers appointed over me, according to the rules and article of war." This oath may be taken before any commissioned officer of the army.

ART. 3. Every officer who knowingly enlists or musters into the military service any minor over the age of 16 years without the written consent of his parents or guardians, or any minor under the age of 16 years, or any insane or intoxicated persons, or any deserter from the military or naval service of the United States, or any person who has been convicted of any infamous criminal offense, shall, upon conviction, be dismissed from the service, or suffer such other punishment as a court-martial may direct.

ART. 4. No enlisted man, duly sworn, shall be discharged from the service without a discharge in writing, signed by a field officer of the regiment to which he belongs, or by the commanding officer, when no field officer is present; and no discharge shall be given to any enlisted man before his term of service has expired, except by order of the President, the Secretary of War, the commanding officer of a department, or by sentence of a general court-martial.

ART. 5. Any officer who knowingly musters as a soldier a person who is not a soldier, shall be deemed guilty of knowingly making a false muster, and punished accordingly.

ART. 6. Any officer who takes money, or other thing, by way of gratification, on mustering any regiment, troop, battery, or company, or on signing muster rolls, shall be dismissed from the service, and shall thereby be disabled to hold any office or employment in the service of the United States.

ART. 7. Every officer commanding a regiment, an independent troop, battery, or company, or a garrison, shall, in the beginning of every month,

transmit through the proper channels, to the Department of War, an exact return of the same, specifying the names of the officers then absent from their posts, with the reasons for and the time of their absence. And any officer who, through neglect or design, omits to send such returns, shall, on conviction thereof, be punished as a court-martial may direct.

ART. 8. Every officer who knowingly makes a false return to the Department of War, or to any of his superior officers, authorized to call for such returns, of the state of the regiment, troop or company, or garrison under his command; or of the arms, ammunition, clothing, or other stores thereunto belonging, shall, on conviction thereof before a court-martial, be cashiered.

ART. 9. All public stores taken from the enemy shall be secured for the service of the United States: and for neglect thereof the commanding officer shall be answerable.

ART. 10. Every officer commanding a troop, battery, or company, is charged with the arms, accoutrements, ammunition, clothing, or other military stores belonging to his command, and is accountable to his colonel in case of their being lost, spoiled, or damaged otherwise than by unavoidable accident, or on actual service.

ART. 11. Every officer commanding a regiment or an independent troop, battery, or company, not in the field, may, when actually quartered with such command, grant furloughs to the enlisted men, in such numbers and for such time as he shall deem consistent with the good of the service. Every officer commanding a regiment, or an independent troop, battery, or company, in the field, may grant furloughs not exceeding thirty days at one time, to five per centum of the enlisted men, for good conduct in the line of duty, but subject to the approval of the commander of the forces of which said enlisted men form a part. Every company officer of a regiment, commanding any troop, battery, or company not in the field, or commanding in any garrison, fort, post, or barrack, may, in the absence of his field officer, grant furloughs to the enlisted men, for a time not exceeding twenty days in six months, and not to more than two persons to be absent at the same time.

ART. 12. At every muster of a regiment, troop, battery, or company, the commanding officer thereof shall give to the mustering officer certificates, signed by himself, stating how long absent officers have been absent and the reasons of their absence. And the commanding officer of every troop, battery, or company shall give like certificates, stating how long absent noncommissioned officers and private soldiers have been absent and the reasons of their absence. Such reasons and time of absence shall be inserted in the muster rolls opposite the names of the respective absent officers and soldiers, and the certificates, together with the muster rolls, shall be transmitted by the mustering officer to the Department of War, as speedily as the distance of the place and muster will admit.

ART. 13. Every officer who signs a false certificate, relating to the absence or pay of an officer or soldier, shall be dismissed from the service.

ART. 14. Any officer who knowingly makes a false muster of man or horse, or who signs, or directs, or allows the signing of any muster roll, knowing the same to contain a false muster, shall, upon proof thereof, by two wit-

nesses, before a court-martial, be dismissed from the service, and shall thereby be disabled to hold any office or employment in the service of the United States.

ART. 15. Any officer who, wilfully or through neglect, suffers to be lost, spoiled, or damaged, any military stores belonging to the United States, shall make good the loss or damage, and be dismissed from the service.

ART. 16. Any enlisted man who sells, or wilfully or through neglect wastes the ammunition delivered out to him, shall be punished as a court-martial may direct.

ART. 17. Any soldier who sells or through neglect loses or spoils his horse, arms, clothing, or accoutrements shall be punished as a court-martial may adjudge, subject to such limitation as may be prescribed by the President by virtue of the power vested in him. [Act approved July 27, 1892.]

ART. 18. Any officer commanding in any garrison, fort, or barracks of the United States who, for his private advantage, lays any duty or imposition upon, or is interested in, the sale of any victuals, liquors, or other necessities of life, brought into such garrison, fort, or barracks, for the use of the soldiers, shall be dismissed from the service.

ART. 19. Any officer who uses contemptuous or disrespectful words against the President, the Vice-President, the Congress of the United States, or the chief magistrate or legislature of any of the United States in which he is quartered, shall be dismissed from the service, or otherwise punished, as a court-martial may direct. Any soldier who so offends shall be punished as a court-martial may direct.

ART. 20. Any officer or soldier who behaves himself with disrespect towards his commanding officer shall be punished as a court-martial may direct.

ART. 21. Any officer or soldier who, on any pretense whatsoever, strikes his superior officer, or draws or lifts up any weapon, or offers any violence against him, being in the execution of his office, or disobeys any lawful command of his superior officer, shall suffer death, or such other punishment as a court-martial may direct.

ART. 22. Any officer or soldier who begins, excites, causes, or joins in any mutiny, or sedition, in any troop, battery, company, party, post, detachment, or guard, shall suffer death, or such other punishment as a court-martial may direct.

ART. 23. Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or having knowledge of any intended mutiny or sedition, does not, without delay, give information thereof to his commanding officer, shall suffer death, or such other punishment as a court-martial may direct.

ART. 24. All officers, of what condition soever, have power to part and quell all quarrels, frays, and disorders, whether among persons belonging to his own or to another corps, regiment, troop, battery, or company, and to order officers into arrest, and noncommissioned officers and soldiers into confinement, who take part in the same, until their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or noncommissioned officer, or draws a weapon upon him, shall be punished as a court-martial may direct.

ART. 25. No officer or soldier shall use any reproachful or provoking speeches or gestures to another. Any officer who so offends shall be put in arrest. Any soldier who so offends shall be confined, and required to ask pardon of the party offended, in the presence of his commanding officer.

ART. 26. No officer or soldier shall send a challenge to another officer or soldier to fight a duel, or accept a challenge so sent. Any officer who so offends shall be dismissed from the service. Any soldier who so offends shall suffer such punishment as a court-martial may direct.

ART. 27. Any officer or noncommissioned officer, commanding a guard, who, knowingly and willingly, suffers any person to go forth to fight a duel, shall be punished as a challenger; and all seconds or promoters of duels, and carriers of challenges to fight duels, shall be deemed principals, and punished accordingly. It shall be the duty of any officer commanding an army, regiment, troop, battery, company, post, or detachment, who knows or has reason to believe that a challenge has been given or accepted by any officer or enlisted man under his command, immediately to arrest the offender and bring him to trial.

ART. 28. Any officer or soldier who upbraids another officer or soldier for refusing a challenge shall himself be punished as a challenger; and all officers and soldiers are hereby discharged from any disgrace or opinion of disadvantage which might arise from their having refused to accept challenges, as they will only have acted in obedience to the law, and have done their duty as good soldiers, who subject themselves to discipline.

ART. 29. Any officer who thinks himself wronged by the commanding officer of his regiment, and, upon due application to such commander, is refused redress, may complain to the general commanding in the State or Territory where such regiment is stationed. The general shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the Department of War a true statement of such complaint, with the proceedings had thereon.

ART. 30. Any soldier who thinks himself wronged by any officer may complain to the commanding officer of his regiment, who shall summon a regimental court-martial for the doing of justice to the complainant. Either party may appeal from such regimental court-martial to a general court-martial; but if, upon such second hearing, the appeal appears to be groundless and vexatious, the party appealing shall be punished at the discretion of said general court-martial.

ART. 31. Any officer or soldier who lies out of his quarters, garrison, or camp, without leave from his superior officer, shall be punished as a court-martial may direct.

ART. 32. Any soldier who absents himself from his troop, battery, company, or detachment, without leave from his commanding officer, shall be punished as a court-martial may direct.

ART. 33. Any officer or soldier who fails, except when prevented by sickness or other necessity, to repair, at the fixed time, to the place of parade, exercise, or other rendezvous appointed by his commanding officer, or goes from the same, without leave from his commanding officer, before he is dismissed or relieved, shall be punished as a court-martial may direct.

ART. 34. Any soldier who is found one mile from camp, without leave in writing from his commanding officer, shall be punished as a court-martial may direct.

ART. 35. Any soldier who fails to retire to his quarters or tent at the beating of retreat, shall be punished according to the nature of his offense.

ART. 36. No soldier belonging to any regiment, troop, battery, or company shall hire another to do his duty for him, or be excused from duty, except in cases of sickness, disability, or leave of absence. Every such soldier found guilty of hiring his duty, and the person so hired to do another's duty, shall be punished as a court-martial may direct.

ART. 37. Every noncommissioned officer who connives at such hiring of duty shall be reduced. Every officer who knows and allows such practices shall be punished as a court-martial may direct.

ART. 38. Any officer who is found drunk on his guard, party, or other duty, shall be dismissed from the service. Any soldier who so offends shall suffer such punishment as a court-martial may direct. No court-martial shall sentence any soldier to be branded, marked, or tattooed.

ART. 39. Any sentinel who is found sleeping upon his post, or who leaves it before he is regularly relieved, shall suffer death, or such other punishment as a court-martial may direct.

ART. 40. Any officer or soldier who quits his guard, platoon, or division, without leave from his superior officer, except in a case of urgent necessity, shall be punished as a court-martial may direct.

ART. 41. Any officer who, by any means whatsoever, occasions false alarms in camp, garrison, or quarters, shall suffer death, or such other punishment as a court-martial may direct.

ART. 42. Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons any fort, post, or guard, which he is commanded to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, shall suffer death, or such other punishment as a court-martial may direct.

ART. 43. If any commander of any garrison, fortress, or post is compelled, by the officers and soldiers under his command, to give up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death, or such other punishment as a court-martial may direct.

ART. 44. Any person belonging to the armies of the United States who makes known the watchword to any person not entitled to receive it, according to the rules and discipline of war, or presumes to give a parole or watchword different from that which he received, shall suffer death, or such other punishment as a court-martial may direct.

ART. 45. Whosoever relieves the enemy with money, victuals, or ammunition, or knowingly harbors or protects an enemy, shall suffer death, or such other punishment as a court-martial may direct.

ART. 46. Whosoever holds correspondence with, or gives intelligence to, the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial may direct.

ART. 47. Any officer or soldier who, having received pay, or having been duly enlisted in the service of the United States, deserts the same, shall, in

time of war, suffer death, or such other punishment as a court-martial may direct; and in time of peace, any punishment, excepting death, which a court-martial may direct.

ART. 48. Every soldier who deserts the service of the United States shall be liable to serve for such period as shall, with the time he may have served previous to his desertion, amount to the full term of his enlistment; and such soldier shall be tried by a court-martial and punished, although the term of his enlistment may have elapsed previous to his being apprehended and tried.

ART. 49. Any officer who, having tendered his resignation, quits his post or proper duties, without leave, and with intent to remain permanently absent therefrom, prior to due notice of the acceptance of the same, shall be deemed and punished as a deserter.

ART. 50. No noncommissioned officer or soldier shall enlist himself in any other regiment, troop, or company, without a regular discharge from the regiment, troop, or company in which he last served, on a penalty of being reputed a deserter, and suffering accordingly. And in case any officer shall knowingly receive and entertain such noncommissioned officer or soldier, or shall not, after his being discovered to be a deserter, immediately confine him and give notice thereof to the corps in which he last served, the said officer shall, by a court-martial, be cashiered.

ART. 51. Any officer or soldier who advises or persuades any other officer or soldier to desert the service of the United States, shall, in time of war, suffer death, or such other punishment as a court-martial may direct; and in time of peace, any punishment, excepting death, which a court-martial may direct.

ART. 52. It is earnestly recommended to all officers and soldiers diligently to attend divine service. Any officer who behaves indecently or irreverently at any place of divine worship shall be brought before a general court-martial, there to be publicly and severely reprimanded by the president thereof. Any soldier who so offends shall, for his first offense, forfeit one-sixth of a dollar; for each further offense he shall forfeit a like sum, and shall be confined twenty-four hours. The money so forfeited shall be deducted from his next pay, and shall be applied, by the captain or senior officer of his troop, battery, or company, to the use of the sick soldiers of the same.

ART. 53. Any officer who uses any profane oath or execration shall, for each offense, forfeit and pay one dollar. Any soldier who so offends shall incur the penalties provided in the preceding article; and all moneys forfeited for such offenses shall be applied as therein provided.

ART. 54. Every officer commanding in quarters, garrison, or on the march, shall keep good order, and, to the utmost of his power, redress all abuses or disorders which may be committed by any officer or soldier under his command; and if, upon complaint made to him of officers or soldiers beating or otherwise ill-treating any person, disturbing fairs or markets, or committing any kind of riot, to the disquieting of the citizens of the United States, he refuses or omits to see justice done to the offender, and reparation made to the party injured, so far as part of the offender's pay shall go toward such reparation, he shall be dismissed from the service, or otherwise punished as a court-martial may direct.

ART. 55. All officers and soldiers are to behave themselves orderly in quarters and on the march; and whoever commits any waste or spoil,



either in walks or trees, parks, warrens, fish-ponds, houses, gardens, grain fields, inclosures, or meadows, or maliciously destroys any property whatsoever belonging to inhabitants of the United States, (unless by order of a general officer commanding a separate army in the field.) shall, besides such penalties as he may be liable to by law, be punished as a court-martial may direct.

ART. 56. Any officer or soldier who does violence to any person bringing provisions or other necessaries to the camp, garrison, or quarters of the forces of the United States in foreign parts, shall suffer death, or such other punishment as a court-martial may direct.

ART. 57. Whosoever, belonging to the armies of the United States in foreign parts, or at any place within the United States or their Territories during rebellion against the supreme authority of the United States, forces a safeguard, shall suffer death.

ART. 58. In time of war, insurrection, or rebellion, larceny, robbery, burglary, arson, mayhem, manslaughter, murder, assault and battery with an intent to kill, wounding, by shooting or stabbing, with an intent to commit murder, rape, or assault and battery with an intent to commit rape, shall be punishable by the sentence of a general court-martial, when committed by persons in the military service of the United States, and the punishment in any such case shall not be less than the punishment provided, for the like offense, by the laws of the State, Territory, or district in which such offense may have been committed.

ART. 59. When any officer or soldier is accused of a capital crime, or of any offense against the person or property of any citizen of any of the United States, which is punishable by the laws of the land, the commanding officer, and the officers of the regiment, troop, battery, company, or detachment, to which the person so accused belongs, are required, except in time of war, upon application duly made by or in behalf of the party injured, to use their utmost endeavors to deliver him over to the civil magistrate, and to aid the officers of justice in apprehending and securing him, in order to bring him to trial. If, upon such application, any officer refuses or wilfully neglects, except in time of war, to deliver over such accused person to the civil magistrates, or to aid the officers of justice in apprehending him, he shall be dismissed from the service.

ART. 60. Any person in the military service of the United States who makes or causes to be made any claim against the United States, or any officer thereof, knowing such claim to be false or fraudulent; or

Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States or any officer thereof, knowing such claim to be false or fraudulent; or

Who enters into any agreement or conspiracy to defraud the United States by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or against any officer thereof, makes or uses, or procures or advises the making or use of, any writing, or other paper, knowing the same to contain any false or fraudulent statement; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, makes, or procures or advises the making of, any oath to any fact or to any writing or other paper, knowing such oath to be false; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States or any officer thereof, forges or counterfeits, or procures or advises the forging or counterfeiting of, any signature upon any writing or other paper, or uses, or procures or advises the use of, any such signature, knowing the same to be forged or counterfeited; or

Who, having charge, possession, custody or control of any money or other property of the United States, furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States, furnished or intended for the military service thereof, makes, or delivers to any person, such writing, without having full knowledge of the truth of the statements therein contained, and with intent to defraud the United States; or

Who steals, embezzles, knowingly and wilfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or intended for the military service thereof; or

Who knowingly purchases, or receives in pledge for any obligation or indebtedness, from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipments, ammunition, clothing, subsistence stores, or other property of the United States, such soldier, officer, or other person not having lawful right to sell or pledge the same,

Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge. And if any person, being guilty of any of the offenses aforesaid, while in the military service of the United States, receives his discharge, or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial, in the same manner and to the same extent as if he had not received such discharge nor been dismissed.

ART. 61. Any officer who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

\*ART. 62. All crimes not capital, and all disorders and neglects, which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the foregoing articles of war, are to be taken cognizance of by a general, or a regimental, garrison, or field officers' court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

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\*SEC. 3. That fraudulent enlistment, and the receipt of any pay or allowance thereunder, is hereby declared a military offense and made punishable by court-martial, under the Sixty-second Article of War.—[Act approved July 27, 1892.]

ART. 63. All retainers to the camp, and all persons serving with the armies of the United States in the field, though not enlisted soldiers, are to be subject to orders, according to the rules and discipline of war.

ART. 64. The officers and soldiers of any troops, whether militia or others, mustered and in pay of the United States, shall, at all times and in all places, be governed by the articles of war, and shall be subject to be tried by courts-martial.

ART. 65. Officers charged with crime shall be arrested and confined in their barracks, quarters, or tents, and deprived of their swords by the commanding officer. And any officer who leaves his confinement before he is set at liberty by his commanding officer shall be dismissed from the service.

ART. 66. Soldiers charged with crimes shall be confined until tried by court-martial, or released by proper authority.

ART. 67. No provost marshal, or officer commanding a guard, shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the United States; provided the officer committing shall, at the same time, deliver an account in writing, signed by himself, of the crime charged against the prisoner.

ART. 68. Every officer to whose charge a prisoner is committed shall, within twenty-four hours after such commitment, or as soon as he is relieved from his guard, report in writing, to the commanding officer, the name of such prisoner, the crime charged against him, and the name of the officer committing him; and, if he fails to make such report, he shall be punished as a court-martial may direct.

ART. 69. Any officer who presumes, without proper authority, to release any prisoner committed to his charge, or suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

ART. 70. No officer or soldier put in arrest shall be continued in confinement more than eight days, or until such time as a court-martial can be assembled.

ART. 71. When an officer is put in arrest for the purpose of trial, except at remote military posts or stations, the officer by whose order he is arrested shall see that a copy of the charges on which he is to be tried is served upon him within eight days after his arrest, and that he is brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of said ten days. If a copy of the charges be not served, or the arrested officer be not brought to trial, as herein required, the arrest shall cease. But officers released from arrest, under the provisions of this article, may be tried, whenever the exigencies of the service shall permit, within twelve months after such release from arrest.

ART. 72. Any general officer commanding an army, a Territorial Division or a Department, or colonel commanding a separate Department may appoint general courts-martial whenever necessary. But when any such commander is the accuser or prosecutor of any officer under his command the court shall be appointed by the President; and its proceedings and sentence shall be sent directly to the Secretary of War, by whom they shall be laid before the President, for his approval or orders in the case. [Act approved July 5, 1884.]

ART. 73. In time of war the commander of a division, or of a separate brigade of troops, shall be competent to appoint a general court-martial. But when such commander is the accuser or prosecutor of any person under his command, the court shall be appointed by the next higher commander.

ART. 74. Officers who may appoint a court-martial shall be competent to appoint a judge-advocate for the same.

ART. 75. General courts-martial may consist of any number of officers from five to thirteen, inclusive; but they shall not consist of less than thirteen when that number can be convened without manifest injury to the service.

ART. 76. When the requisite number of officers to form a general court-martial is not present in any post or detachment, the commanding officer shall, in cases which require the cognizance of such a court, report to the commanding officer of the department, who shall, thereupon, order a court to be assembled at the nearest post or department at which there may be such a requisite number of officers, and shall order the party accused, with necessary witnesses, to be transported to the place where the said court shall be assembled.

ART. 77. Officers of the Regular Army shall not be competent to sit on courts-martial to try the officers or soldiers of other forces, except as provided in Article 78.

ART. 78. Officers of the Marine Corps, detached for service with the Army by order of the President, may be associated with officers of the Regular Army on courts-martial for the trial of offenders belonging to the Regular Army, or to forces of the Marine Corps so detached; and in such cases the orders of the senior officer of either corps, who may be present and duly authorized, shall be obeyed.

ART. 79. Officers shall be tried only by general courts-martial; and no officer shall, when it can be avoided, be tried by officers inferior to him in rank.

ART. 80. In time of war a field officer may be detailed in every regiment, to try soldiers thereof for offenses not capital; and no soldier, serving with his regiment, shall be tried by a regimental or garrison court-martial when a field officer of his regiment may be so detailed.

ART. 81. Every officer commanding a regiment or corps shall, subject to the provisions of Article 80, be competent to appoint, for his own regiment or corps, courts-martial, consisting of three officers, to try offenses not capital.

ART. 82. Every officer commanding a garrison, fort, or other place, where the troops consist of different corps, shall, subject to the provisions of Article 80, be competent to appoint, for such garrison or other place, courts-martial, consisting of three officers, to try offenses not capital.

ART. 83. Regimental and garrison courts-martial, and field officers detailed to try offenders, shall not have power to try capital cases or commissioned officers, or to inflict a fine exceeding one month's pay, or to imprison or put to hard labor any noncommissioned officer or soldier for a longer time than one month.

ART. 84. The judge-advocate shall administer to each member of the court, before they proceed upon any trial, the following oath, which shall

also be taken by all members of regimental and garrison courts-martial: "You, A B, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the prisoner to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubts should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear that you will not divulge the sentence of the court until it shall be published by the proper authority, except to the judge-advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you God." [Act approved July 27, 1892.]

ART. 85. When the oath has been administered to the members of a court-martial, the president of the court shall administer to the judge-advocate, or person officiating as such, an oath in the following form: "You, A B, do swear that you will not disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in due course of law; nor divulge the sentence of the court to any but the proper authority, until it shall be duly disclosed by the same. So help you God."

ART. 86. The court-martial may punish, at discretion, any person who uses any menacing words, signs, or gestures, in its presence, or who disturbs its proceedings by any riot or disorder.

ART. 87. All members of a court-martial are to behave with decency and calmness.

ART. 88. Members of a court-martial may be challenged by a prisoner, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

ART. 89. When a prisoner, arraigned before a general court-martial, from obstinacy and deliberate design, stands mute, or answers foreign to the purpose, the court may proceed to trial and judgment, as if the prisoner had pleaded not guilty.

ART. 90. The judge-advocate, or some person deputed by him, or by the general or officer commanding the Army, detachment, or garrison, shall prosecute in the name of the United States, but when the prisoner has made his plea, he shall so far consider himself counsel for the prisoner as to object to any leading question to any of the witnesses, and to any question to the prisoner, the answer to which might tend to criminate himself.

\*ART. 91. The deposition, of witnesses residing beyond the limits of the State, Territory, or district in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.

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\* SEC. 4. That judge-advocates of departments and of courts-martial, and the trial officers of summary courts, are hereby authorized to administer oaths for the purposes of the administration of military justice, and for other purposes of military administration.—[Act approved July 27, 1892.]

ART. 92. All persons who give evidence before a court-martial shall be examined on oath, or affirmation, in the following form: "You swear (or affirm) that the evidence you shall give, in the case now in hearing, shall be the truth, the whole truth, and nothing but the truth. So help you God."

ART. 93. A court-martial shall, for reasonable cause, grant a continuance to either party, for such time, and as often as may appear to be just: *Provided*, That if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

ART. 94. Proceedings of trials shall be carried on only between the hours of eight in the morning and three in the afternoon, excepting in cases which, in the opinion of the officer appointing the court, require immediate example.

ART. 95. Members of a court-martial, in giving their votes, shall begin with the youngest in commission.

ART. 96. No person shall be sentenced to suffer death, except by the concurrence of two-thirds of the members of a general court-martial, and in the cases herein expressly mentioned.

ART. 97. No person in the military service shall, under the sentence of a court-martial, be punished by confinement in a penitentiary, unless the offense of which he may be convicted would, by some statute of the United States, or by some statute of the State, Territory, or District in which such offense may be committed, or by the common law, as the same exists in such State, Territory, or District, subject such convict to such punishment.

ART. 98. No person in the military service shall be punished by flogging, or by branding, marking, or tattooing on the body.

ART. 99. No officer shall be discharged or dismissed from the service, except by order of the President, or by sentence of a general court-martial; and in time of peace no officer shall be dismissed, except in pursuance of the sentence of a court-martial, or in mitigation thereof.

ART. 100. When an officer is dismissed from the service for cowardice or fraud, the sentence shall further direct that the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in and about the camp, and in the State from which the offender came, or where he usually resides; and after such publication it shall be scandalous for an officer to associate with him.

ART. 101. When a court-martial suspends an officer from command, it may also suspend his pay and emoluments for the same time, according to the nature of his offense.

ART. 102. No person shall be tried a second time for the same offense.

ART. 103. No person shall be liable to be tried and punished by a general court-martial for any offense which appears to have been committed more than two years before the issuing of the order for such trial, unless, by reason of having absented himself, or of some other manifest impediment, he shall not have been amenable to justice within that period.

No person shall be tried or punished by a court-martial for desertion in time of peace and not in the face of an enemy, committed more than two years before the arraignment of such person for such offense, unless he shall meanwhile have absented himself from the United States, in which case the time of his absence shall be excluded in computing the period of the limitation: *Provided*, That said limitation shall not begin until the end of the term for which said person was mustered into the service. [Act approved April 11, 1890.]

ART. 104. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer ordering the court, or by the officer commanding for the time being. [Act approved July 27, 1892.]

ART. 105. No sentence of a court-martial, inflicting the punishment of death, shall be carried into execution until it shall have been confirmed by the President; except in the cases of persons convicted, in time of war, as spies, mutineers, deserters, or murderers, and in the cases of guerilla marauders, convicted, in time of war, of robbery, burglary, arson, rape, assault with intent to commit rape, or of violation of the laws and customs of war; and in such excepted cases the sentence of death may be carried into execution upon confirmation by the commanding general in the field, or the commander of the department, as the case may be.

ART. 106. In time of peace no sentence of a court-martial, directing the dismissal of an officer, shall be carried into execution until it shall have been confirmed by the President.

ART. 107. No sentence of a court-martial appointed by the commander of a division or of a separate brigade of troops, directing the dismissal of an officer, shall be carried into execution until it shall have been confirmed by the general commanding the army in the field to which the division or brigade belongs.

ART. 108. No sentence of a court-martial, either in time of peace or in time of war, respecting a general officer, shall be carried into execution until it shall have been confirmed by the President.

ART. 109. All sentences of a court-martial may be confirmed and carried into execution by the officer ordering the court, or by the officer commanding for the time being, where confirmation by the President, or by the commanding general in the field, or commander of the department, is not required by the articles.

ART. 110. No sentence adjudged by a field officer, detailed to try soldiers of his regiment, shall be carried into execution until the same shall have been approved by the brigade commander, or, in case there be no brigade commander, by the commanding officer of the post or camp. [Act approved July 27, 1892.]

ART. 111. Any officer who has authority to carry into execution the sentence of death, or of dismissal of an officer, may suspend the same until the pleasure of the President shall be known; and, in such case, he shall immediately transmit to the President a copy of the order of suspension, together with a copy of the proceedings of the court.

ART. 112. Every officer who is authorized to order a general court-martial shall have power to pardon or mitigate any punishment adjudged by it, except the punishment of death or of dismissal of an officer. Every officer commanding a regiment or garrison in which a regimental or garrison court-martial may be held, shall have power to pardon or mitigate any punishment which such court may adjudge.

ART. 113. Every judge-advocate, or person acting as such, at any general court-martial, shall, with as much expedition as the opportunity of time and distance of place may admit, forward the original proceedings and sentence of such court to the Judge-Advocate-General of the Army, in whose office they shall be carefully preserved.

ART. 114. Every party tried by a general court-martial shall, upon demand thereof, made by himself or by any person in his behalf, be entitled to a copy of the proceedings and sentence of such court.

ART. 115. A court of inquiry, to examine into the nature of any transaction of, or accusation or imputation against, any officer or soldier, may be ordered by the President or by any commanding officer; but, as courts of inquiry may be perverted to dishonorable purposes, and may be employed, in the hands of weak and envious commandants, as engines for the destruction of military merit, they shall never be ordered by any commanding officer, except upon a demand by the officer or soldier whose conduct is to be inquired of.

ART. 116. A court of inquiry shall consist of one or more officers, not exceeding three, and a recorder, to reduce the proceedings and evidence to writing.

ART. 117. The recorder of a court of inquiry shall administer to the members the following oath: "You shall well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward: so help you God." After which the president of the court shall administer to the recorder the following oath: "You, A B, do swear that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing: so help you God."

ART. 118. A court of inquiry, and the recorder thereof, shall have the same power to summon and examine witnesses as is given to courts-martial and the judge-advocates thereof. Such witnesses shall take the same oath which is taken by witnesses before courts-martial, and the party accused shall be permitted to examine and cross-examine them, so as fully to investigate the circumstances in question.

ART. 119. A court of inquiry shall not give an opinion on the merits of the case inquired of unless specially ordered to do so.

ART. 120. The proceedings of a court of inquiry must be authenticated by the signatures of the recorder and the president thereof, and delivered to the commanding officer.

ART. 121. The proceedings of a court of inquiry may be admitted as evidence by a court-martial, in cases not capital, nor extending to the dismissal of an officer: *Provided*, That the circumstances are such that oral testimony cannot be obtained.

ART. 122. If, upon marches, guards, or in quarters, different corps of the Army happen to join or do duty together, the officer highest in rank of the line of the Army, Marine Corps, or militia, by commission, there on duty or in quarters, shall command the whole, and give orders for what is needful to the service, unless otherwise specially directed by the President, according to the nature of the case.

ART. 123. In all matters relating to the rank, duties, and rights of officers, the same rules and regulations shall apply to officers of the Regular Army and to volunteers commissioned in, or mustered into said service, under the laws of the United States, for a limited period.

ART. 124. Officers of the militia of the several States, when called into the service of the United States, shall on all detachments, courts-martial, and other duty wherein they may be employed in conjunction with the reg-



ular or volunteer forces of the United States, take rank next after all officers of the like grade in said regular or volunteer forces, notwithstanding the commissions of such militia officers may be older than the commissions of the said officers of the regular or volunteer forces of the United States.

ART. 125. In case of the death of any officer, the major of his regiment, or the officer doing the major's duty, or the second officer in command at any post or garrison, as the case may be, shall immediately secure all his effects then in camp or quarters, and shall make, and transmit to the office of the Department of War, an inventory thereof.

ART. 126. In case of the death of any soldier, the commanding officer of his troop, battery, or company shall immediately secure all his effects then in camp or quarters, and shall, in the presence of two other officers, make an inventory thereof, which he shall transmit to the office of the Department of War.

ART. 127. Officers charged with the care of the effects of deceased officers or soldiers shall account for and deliver the same, or the proceeds thereof, to the legal representatives of such deceased officers or soldiers. And no officer so charged shall be permitted to quit the regiment or post until he has deposited in the hands of the commanding officer all the effects of such deceased officers or soldiers not so accounted for and delivered.

ART. 128. The foregoing articles shall be read and published, once in every six months, to every garrison, regiment, troop, or company in the service of the United States, and shall be duly observed and obeyed by all officers and soldiers in said service.

SEC. 1343, Revised Statutes. All persons who, in time of war, or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial, or by a military commission, and shall, on conviction thereof, suffer death.



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